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Deputy Micheál Martin: In March 1983 the chief prison officer at Portlaoise Prison, Mr. Brian Stack, was shot in the back of the neck. He was the only prison officer in the Republic of Ireland to be murdered during the Troubles by the Provisional IRA. He died in September 1984 as a result of his injuries. It has been revealed that the leader of Sinn Féin, Deputy Gerry Adams, wrote to the Garda Commissioner last February naming four people he said he understood to be suspects in the murder of Mr. Stack. What is extraordinary, of course, is that he claims the sons of Mr. Stack, Austin and Oliver, gave him the names back in 2013. The Stack brothers resolutely deny this. They never gave names to him. If he had the names in 2013, why did he not give them to the Garda Commissioner then? Why did he wait two and a half years to provide the information for the Commissioner if he was anxious to co-operate in a live murder inquiry?

The other key point I ask the Taoiseach to consider is that what happened in 2013 was, in itself, extraordinary. The leader of a parliamentary party in the House took two young men in a van with blacked out windows to an undisclosed location somewhere near the Border to meet an IRA man who told them: “We have carried out an investigation. It was a senior IRA person who authorised the murder of your dad. We have disciplined him.” It was not stated how he had been disciplined. The IRA stated it regretted what had happened, apologised and that that should be the end of the matter. Did Deputy Gerry Adams send the name of the person he had met with Mr. Stack’s sons to the Garda? Has the name of that individual who clearly has a lot of knowledge about the murder of Mr. Stack been sent to the Garda? Deputy Gerry Adams says he took notes of the meeting and that the individual was a friend of his who knew what had happened. Have the notes of the meeting with the individual in question who, 30 years after the murder, eventually acknowledged the IRA’s authorisation of the murder of Mr. Stack been sent to the Garda Commissioner?

It is an extraordinary situation that the leader of a parliamentary party would take two individuals in a blacked out van to an undisclosed location to reveal how somebody was murdered
or that somebody murdered somebody, and that the matter should rest there. This is a live murder inquiry.

Does the Taoiseach think that is acceptable? Is he satisfied that full co-operation has been given to the Garda in regard to all the information and names Deputy Adams has in order to bring the murder investigation to a proper conclusion? It is absolutely unacceptable in any normal parliamentary democracy that activity of this sort should continue as late as between 2013 and 2016.

**The Taoiseach:** I do not accept that this is in any way acceptable. Nobody can doubt that Brian Stack served this State with honour in his role as a prison officer. The work he and his colleagues did in protecting this State was vital during that very troubled period. His cold-blooded murder at the hands of Provisional IRA thugs was a cowardly, brutal and totally unjustifiable act of pointless violence. It should be properly condemned by everybody.

If Deputy Martin or I were in a situation where an allegation like this was made, where names were given to serving public representatives of those who were allegedly involved in a murder, it would not be acceptable that we could accept something happened and was forgotten about. Kangaroo courts are not, and never can be, a replacement for the laws of the land.

I cannot answer the Deputy’s question as to whether the person who apparently is known and is living outside of the country and carried out the murder was ever spoken to or disciplined, or whether the name of the person understood to have carried out the murder was given to the Garda. It is up to Deputy Adams, who is the president and leader of his party, to deal with this.

It is utterly unacceptable that a man was shot through the back of the neck outside a boxing club and died quite some time afterwards. All these years later, we now hear the names of the persons allegedly involved being supplied. I cannot comment on the operational matters involved. This is a live murder investigation under the direction of the Garda Commissioner.

Obviously, the Garda is conducting its investigation. I do not know whether the persons mentioned in the supply of names given to Deputy Adams have been spoken to by the Garda, although I have to accept that the Garda will do its utmost to bring about the truth.

A man was murdered in cold blood. His alleged murderer is still at large. Being disciplined or not by the Provisional IRA is no substitute for the laws of this State. In answer to Deputy Martin’s question, it is utterly unacceptable and those who have information should come forward and tell the truth.

**Deputy Micheál Martin:** I thank the Taoiseach for his reply. I want to refer him to comments made by Austin Stack recently. He said:

Gerry Adams brought us in a blacked out van to see an IRA leader who he said he trusted and was a friend. Adams told us and reaffirmed this in the media last week that he asked this IRA leader to carry out an investigation.

An investigation was carried out internally. Mr. Stack went on to say that “this man told us that he knew who murdered my father, that the perpetrators were still alive and that one of them had been disciplined “.

He continued, “Gerry Adams knows this man and unless he has given his name to the Gardaí then he is withholding information.” Clearly, as Mr. Stack stated, this IRA leader reported back
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to Deputy Gerry Adams on the investigation.

It is, by any measure, extraordinary stuff when one stands back and reflects on it. Imagine any one of us going off and saying we know who murdered someone, we had it checked out, that is, we had someone investigate it and that person had come back to us, but that we did not tell anyone about it for two and a half years. Allegedly, Deputy Gerry Adams had the four names which he says he was given in 2013, but he did not tell anyone until February this year because the issue was raised in the general election. This is a murder. It is not about an election campaign or boxing clever in the middle of it. The Taoiseach said it: a man is at large. The Provos know who did it, but they are not being held accountable in this House and their parliamentary representatives are not being held accountable in it, yet they expect everyone else to be held accountable on every other issue concerning injustices perpetrated on many citizens on this island.

An Leas-Cheann Comhairle: The Deputy has exceeded his time.

Deputy Micheál Martin: They are living in a parallel universe, in which rules apply to one group but not to anyone else. I put it to the Taoiseach that it is unacceptable.

The Taoiseach: This is not fiction. A man was murdered in cold blood; his killer is at large and people know who the murderer is. It is beyond comprehension that a Member of the House can drive someone in a van with blacked out windows to meet another person to talk about who had shot his father, that the names are given to the Garda Commissioner and that the son of the murdered man says he did not supply the names. Deputy Gerry Adams knows more about this than I do. While the investigation into a murder is ongoing, perhaps he might use privilege to make a statement in the House to clear it up for everyone. I intend to meet Mr. Austin Stack who met the Minister for Foreign Affairs and Trade last weekend with his family. This is a serious matter that deserves to be cleared up for once and for all. A murderer is at large and people know who he is.

Deputy Gerry Adams: This is not the first time the leader of Fianna Fáil has used, in an opportunistic, a cynical and contemptible way, my efforts in good faith to assist the family of Mr. Brian Stack. I have dealt with the substance of the issue and if the Taoiseach wants to make space for me to do so, as he has indicated, I am prepared to make a statement here again. However, let me be clear that I have never accused anyone of being a suspect in the murder of Mr. Stack because I do not know who the suspects might be.

For now, during Leaders’ Questions, I wish to raise with the Taoiseach the report on the future of services at the Midland Regional Hospital, Portlaoise, which was to be published in September 2015 but which has not been. I am advised that it is back with the Department of Health. However, yesterday HIQA released its progress report on the implementation of recommendations it had made following its investigation in 2014. That report which was published last year followed the shocking experiences of mothers who had lost babies in the hospital and been failed by the health service under the Taoiseach’s watch and that of Fianna Fáil. A key finding of the report published last year was that the health service did not act in the interests of patients following the recommendations made in previous reports. There were recommendations which were not acted on last year and the review published yesterday makes exactly the same point. The recommendations have yet to be acted on. It does note that some improvements have been made, but HIQA’s director of regulation has stated significant risks remain. The review states, “[The] lack of an overall strategy for the direction of the hospital ... [raises] significant concerns
in terms of the sustainability of [the] current service arrangements”. It also states the HSE has no plan for the future of the hospital. While it is good and welcome that maternity services are being provided in a safer way, major issues remain. I am sure the Taoiseach will appreciate that this is of major concern to women who rely on the hospital’s maternity services. Clearly, they feel less comfortable or safe in giving birth in the hospital because there has been a reduction in the number of births at the hospital. The report states there has been little change in the infrastructure of the maternity ward and that the outpatients department remains in need of refurbishment. The major issue is staffing levels and the report states the failure to recruit and retain doctors remains a risk to patient safety. The hospital also has major problems in recruiting and retaining midwives, which is a serious problem across the entire health service.

**An Leas-Cheann Comhairle:** Go raibh maith agat, a Theachta.

**Deputy Gerry Adams:** Béidh mé críochnaithe anois, a Leas-Cheann Comhairle. Tá a fhios agat gur chuir ceannaire Fhianna Fáil ceist fútsa.

**An Leas-Cheann Comhairle:** Caithfidh mise cloí le na rialacha.

**Deputy Gerry Adams:** Tá a fhios agam é sin. Déanfaidh mé é sin anois.

Having read the report, the core issue is that recommendations which had not been acted on one year ago have still not been acted on. Will the Taoiseach give a commitment that the ongoing issues in the maternity services at Portlaoise hospital will be addressed without delay? Does he agree that full implementation of all the recommendations made in the original HIQA investigation should be prioritised?

**The Taoiseach:** The first thing we should acknowledge is that the reason we have travelled so far in Portlaoise hospital is the courage of a number of women who were courageous enough to come forward with their personal stories about the traumatic effects of losing a baby. That is the reason the advances and improvements have been made in the first place.

The Minister for Health and the Department are committed to securing and developing the role of Portlaoise hospital within the Dublin midlands hospital group. This is an issue of great concern for everybody. The extent of progress made in patient safety measures in maternity services in Portlaoise hospital demonstrates the commitment of the staff and leadership team at the hospital, as well as of the team at hospital group level. This morning I listened to the chairperson of the group speak about the commitment and work rate of the staff in Portlaoise hospital. The services at the hospital are reporting monthly maternity patient safety statements and participating in national data collections, including the Irish maternity indicator system. This has led to confirmation by HIQA that the hospital’s services are performing in line with nationally reported rates.

Since 2012 there has been an 18% increase in staffing levels across maternity, paediatric medicine and emergency services in Portlaoise hospital. Funding increased by 15% between 2012 and 2016 and significant patient safety improvements are evident regarding complaints management, incident reporting and implementation of key national clinical effectiveness committee patient safety guidelines. The reported data from Portlaoise hospital indicate that the maternity services are performing in line with nationally reported rates.

There are now six funded obstetrics and gynaecological posts, four of which are joint appointments with the Coombe Women and Infants University Hospital. Twenty additional mid-
wives were approved for the group in accordance with the recommendations of Birthrate Plus and are in place. Portlaoise hospital is funded to employ 70 midwives and an additional 16 basic midwifery posts and two additional midwifery management posts have been put in place since 2014. A clinical network for obstetrics has been established for the group led by the Coombe hospital and includes Portlaoise hospital. A clinical lead for the integration of obstetrics services was appointed in 2015. The memorandum of understanding between the Coombe and Portlaoise hospitals is in operation in five phases.

The Minister for Health welcomed the report yesterday by HIQA which reviewed progress at the Midland Regional Hospital in implementing the recommendations made by HIQA in 2015. The point made this morning by the chairperson was that this is an important entity and that it is important we get this right and do not make knee-jerk decisions that would not be in the long-term interests of the patients, mothers-to-be or the staff. A serious improvement has been made, with more to follow.

**Deputy Gerry Adams:** I do not know how the Minister can welcome the report given it states that the health services failed to act on recommendations. I, too, commend the mothers and the families who have raised these issues about our maternity services. Perhaps the Taoiseach will clarify if the report on the future of services was to be published in September 2015 because it has not been published. I am advised that report is now with the Department of Health and as such it is back in the Government’s court. Will the Taoiseach clarify for the Dáil if that report is with the Government and when it is proposed to publish it? Portlaoise hospital is a symptom of the problem of an underfunded and understaffed system which is failing despite all the efforts of committed and hard-working staff. In Limerick hospital, there is a shortage of 24 midwives; in Cork, 54 are needed and in the Rotunda Hospital, Dublin, there is a shortage of 118 midwives. These are the number of staff required to bring staffing levels up to basic international safety standards. We expect women to put themselves into this position. Will the Taoiseach clarify the status of the report on the future of services and to the development of a specific plan - I am not in this regard asking for a knee-jerk reaction because this plan has been two years in the making - to ensure that staffing levels across maternity services are brought up to basic standard?

**The Taoiseach:** The HIQA report has identified a number of immediate issues that need to be addressed. The Minister for Health has asked the HSE to address those issues as a priority and to ensure that the hospital is properly supported in its role by the other hospitals in the hospital group to provide a proper service, as one would expect for the patients in the midlands. It is important that in any changes at Portlaoise hospital patient safety and good quality outcomes come first. Reports on Portlaoise hospital over the years have pointed to the need for reconfiguration of some services to ensure that patients are treated in the best setting and by specialist staff that can safely meet their needs. The group has been working for some time on a draft plan for a new model of clinical service delivery at Portlaoise hospital, which takes account of the need of the hospital to develop services at Portlaoise in the context of developing the service provision model for the entire hospital group. The HSE has submitted the draft plan to the Department of Health and it will now be reviewed in detail by the Department. Any changes to services at Portlaoise hospital, once approved, will be undertaken in a planned and orderly manner and will take into account existing patient flows and demands in other hospitals and the need to develop particular services at Portlaoise hospital in the context of the Dublin midlands hospital group. That work is now received and is being examined in detail by the Department.

**Deputy Brendan Howlin:** On the issue raised by Deputy Micheál Martin concerning the
murder of a servant of this State, Deputy Adams has volunteered to make a statement to the House. Will the Taoiseach agree to time being provided tomorrow for that to occur?

In the last few weeks we have been presented with a number of Supplementary Estimates covering a variety of Departments, including the Department of Foreign Affairs and Trade. By the time this Dáil rises for Christmas the Appropriations Bill will have been passed, as is required by law. In Ireland, we have many problems that this House seeks to address week in, week out but I am sure we are all agreed that around the world there are people in much worse situations as we approach Christmas. Wars are raging in Syria and Yemen and hundreds of thousands of people have become refugees, not to mention the thousands of people who have died as a result of war this year. Over the last couple of days we have had reports of 400,000 children at risk of famine in northern Nigeria in areas devastated by civil war and Boko Haram.

As a country, we pledged to provide 0.7% of national income in overseas development aid. In truth, we are not making much progress on that target. The Government claimed on budget day that an extra €10 million was provided for overseas development aid. It turns out, however, that this was just the minimum we had to provide to the EU development budget as part of our required overall contribution thereto. There was, in fact, no increase in the amount of money provided for Irish Aid, the distributor of Irish money provided in this year’s budget.

In our worst days, the Taoiseach will recall that we managed to protect our overseas development aid expenditure. Some €40 million extra was provided last year but this year we have taken a step backwards. Our aid budget, as a percentage of our national income, will be less than 0.3% next year. It is falling.

Last week, we heard reports of the Minister for Finance, Deputy Michael Noonan, assuring the Fine Gael parliamentary party that there was plenty of money in the coffers to recover the cost of refunding water charges, which I welcome. The Exchequer returns published last week confirmed that tax revenues and under-expenditure are sufficient to give breathing space to some expenditure. In that context, some increase in the latter weeks of this year for the Irish aid budget is appropriate. The Labour Party proposed in its alternative budget an increase of 5%, or €32 million, which is not an inordinately big sum. It is one that we can afford. Will the Taoiseach agree to increasing our aid budget by €32 million, a move that would not only attract widespread support in this House but also among the people?

The Taoiseach: There is no doubt about the sensitivity and truth of the issues the Deputy raises. I refer to war in Syria, the difficulties in Libya, the hundreds of thousands coming through the Horn of Africa from Somalia and other locations in northern Africa, the difficulties encountered in the many camps in Lebanon, Jordan and Turkey, and the difficulties in crossing the Mediterranean. I am quite sure the Deputy will join me in understanding what is in our own DNA in terms of humanitarian aid and the extraordinary work done by our Defence Forces personnel in rescuing over 14,000 men, women and children from the waters of the Mediterranean.

The Department of Agriculture, Food and the Marine assisted the World Food Programme extensively last year. There was an increase of €10 million given to the Department of Foreign Affairs and Trade for humanitarian aid. This morning, the Government signed off on the Appropriations Bill and agreed all the ceilings, and the changes made in the last period have now been signed off on. I want the Deputy to understand that we remain completely committed to doing what we can as a small country with exhaustible financial resources with which to assist in humanitarian efforts where we can. That is recognised worldwide, as Deputy Howlin well
knows. To echo Mark Twain, it seems as if the words of the Minister for Finance, Deputy Michael Noonan, have been greatly exaggerated in respect of the third- or fourth-hand report that emanated from a meeting last week.

Deputy Brendan Howlin: The Taoiseach’s reply is profoundly disappointing. Our corporation tax receipts are nearly €1 billion higher this November than they were last November. The overall corporation tax take is €170 million higher than Revenue planned for this year. This is happening when war is raging across the Middle East and when famine is taking hold across Africa. As we know, Ireland is the headquarters for many corporations, providing European, Middle Eastern and African bases. We use the term EMEA but we forget what it means: companies operating out of Ireland paying tax here are making profits in the Middle East and Africa. Ireland is doing well as a result. There is a moral case to be made that, as we approach Christmas, a small proportion of the windfall corporation tax from companies operating in areas affected by disasters should be used to give something back. Will the Taoiseach agree to allow this modest 5% increase from windfall taxes as a positive goodwill gesture at this time of year, which would be welcomed by all of the people?

The Taoiseach: The Appropriation Bill was signed off on this morning by the Cabinet. We have allocated €62 million in humanitarian aid to Syria, which represents a significant amount of money from Ireland. I note, in particular, the practical assistance given to families and the leadership demonstrated by the Dublin football manager, Mr. Jim Gavin, in travelling to Africa and also the development of new breeds of food crops for families in Kenya that yield six times more than indigenous crops. These are practical measures in using Irish scientific knowledge and experience to help families to improve their income and opportunities. We will, therefore, continue to focus on humanitarian aid. I will ask the Minister to look at the issue raised by Deputy Brendan Howlin, but to confirm, we did sign off this morning on the Appropriation Bill.

Deputy Mick Barry: The housing Minister says he will introduce a package in the House next week to address the spiralling cost of rent. Reports yesterday pointed to splits between senior Ministers on the issue. Will the Taoiseach guarantee that we will see the package in 2016? Why has the housing Minister waited to put the package on the table in the week Deputies will head out the door for the Christmas break? Rents have increased year on year by nearly 12% throughout the State and nearly 15% in Cork city. In the Taoiseach’s lifetime, has he ever witnessed more families homeless at Christmas? Kids are waiting for Santa Claus to come down the chimney in bed and breakfast accommodation or a hotel, some for the second year running.

According to the CSO, clear profits from rent on dwellings came to €1.6 billion in 2010 and rose to €2.7 billion by 2015, an increase of more than €1 billion. That is a large transfer of wealth from the many to the few, from people with no property to a comfortable or even wealthy minority. It is little wonder that the CEO of Ireland’s largest corporate landlord operation, I-RES REIT, recently stated: “It’s a great market. We’ve never seen rental increases like this in any jurisdiction that we’re aware of.”

The country is crying out for a Taoiseach who will say the people’s pockets are more important than rent increases for landlords and that strict and stringent rent controls will be the order of the day. The country is crying out for a Taoiseach who will bang the table, turn calmly to landlords and tell them that they have bled the people for long enough and will not increase rents by one single penny more. The Taoiseach does not look like the man for the job. He is the leader of the landlord party. When he attends Fine Gael Parliamentary Party meetings, he must be practically tripping over all of the landlords present. His is the party of the capitalist mar-
The market is God and nothing must be done to offend the gods. We read in yesterday’s edition of the The Irish Times: “Coveney’s rental strategy faces resistance from within Fine Gael - Noonan and Donohoe among those opposed to interventions in the rental market”. Will the Taoiseach confirm the date for the introduction of the Minister, Deputy Simon Coveney’s package on rents? Will he explain to the House the Government’s failure to implement real rent controls?

The Taoiseach: The challenge in building an economy was to manage it properly in the interests of all the people. I disagree profoundly with Deputy Barry when he said that people’s pockets are more important - it is people’s lives that are more important than rich men’s pockets.

The balance to be struck is one of increased supply of houses and accommodation, and at the same time to maintain the balance between those who are tenants and those who supply accommodation for tenancy. That is a real challenge. Deputy Barry will recall in recent years the total collapse of the construction sector. The reason the Minister, Deputy Coveney, is deliberating on the issue is that it must be done properly. There was a period of public consultation. I do not know whether Deputy Barry supplied his views in writing but 70 written contributions were received from people throughout the country in response to the public invitation to do so.

Deputy Ruth Coppinger: We have the housing report.

The Taoiseach: The Minister will bring his rental strategy to Government next Tuesday and thereafter Deputy Barry will have the opportunity to reflect on, debate and discuss the detail of it. It is about striking the necessary balance. I admit that there are people under real pressure, many of whom have had to leave the accommodation they were in. The fundamental question that needs to be addressed is the supply of houses. Five pillars have been set out in a very comprehensive programme and it is now about moving on to implement it. Part of that is to have a sustainable rental strategy for individuals, people and families and at the same time to deal with the question of supply.

Deputy Mick Barry: The Taoiseach speaks of balance. Thousands of families are homeless at Christmas time and the clear profit of landlords is up by more than €1 billion, yet the Taoiseach speaks of balance. That is really quite incredible.

Will the package that is published next Tuesday be debated in this House before we break for Christmas, because it should be? The Government currently has a Bill going through the House which seeks to limit to 19 the number of households a landlord might evict at any one time. That is scandalous. The number should be zero. I do not say a landlord should not be allowed to sell a property, but the law should state that if he or she does so, the tenant should remain in place. When the Bill went to the Seanad, Opposition Senators got it amended and reduced the number from 19 down to five. I understand the Minister for Housing, Planning, Community and Local Government, Deputy Coveney, is seriously considering trying to increase the number back up from five to ten. Could the Taoiseach confirm or deny that is the case?

The Taoiseach: The Minister has made strenuous efforts to deal with the homeless in this city in particular, rough sleepers, those who have been homeless and have needed to stay in hostels and those who have had to move accommodation because of rent increases.

Deputy Ruth Coppinger: It is clearly not working.

The Taoiseach: People in some areas object to hostel accommodation and social housing
being provided. One has the hypocrisy of parties coming in here shouting about the necessity for those things and at the same time objecting when proposals are made by city councillors and elected representatives to do that. The rental strategy will be brought to Cabinet next week. There will be a debate on the Bill going through the House and I look forward to hearing Deputy Barry’s propositions for solutions to the issue of supply and the balance of maintaining the opportunity for people to have decent accommodation at decent rents.

The rent situation is a challenge. Everybody admits that. It will not be addressed without dealing with the question of supply, because the more supply one has the better the opportunity of choice for people.

Deputy Ruth Coppinger: There is plenty of supply.

Order of Business

An Leas-Cheann Comhairle: I call on Deputy Brendan Ryan to announce the Order of Business for the week and to make the proposals regarding the arrangements for the taking of that business.

Deputy Brendan Ryan: Today’s business shall be No. 7, motion re PQ rota swap between the Department of Defence and the Department of Children and Youth Affairs, without debate; No. 8, Further Revised Estimates, back from committee, without debate; No. 14, Health (Miscellaneous Provisions) Bill 2016 – Order for Report, Report and Final Stages; and No. 1, Medical Practitioners (Amendment) Bill 2014 [Seanad] – Second Stage. Private Members’ business shall be Item 26, Electoral (Amendment) (No. 3) Bill 2014 - Second Stage, introduced by Fianna Fáil.

Wednesday’s Government business shall be No. 8a, motion re appointments (3) to GSOC, without debate; No. 15, Planning and Development (Housing) and Residential Tenancies Bill 2016 [Seanad] – Second Stage, resumed; and No. 1, Medical Practitioners (Amendment) Bill 2014 [Seanad] – Second Stage. Private Members’ business shall be No. 79, motion re pension equality and fairness introduced by Sinn Féin.

Thursday’s Government business shall be No. 9, Supplementary Estimates, back from committee, without debate; No. 15, Planning and Development (Housing) and Residential Tenancies Bill 2016 [Seanad] – Second Stage, resumed if not previously concluded; and No. 16, statements re climate action and low carbon development. Second Stage of No. 27, Social and Affordable Housing Bill 2016 will be debated in the evening slot.

In relation to today’s business, there are two proposals. It is proposed that:

(1) the motions re parliamentary questions rota swap and further Revised Estimates, back from committee, shall be taken without debate and any division demanded thereon shall be taken immediately. The further Revised Estimates shall be moved together and decided by one question.

(2) In the event a division is under way at 8 p.m., Private Members’ business shall commence immediately on the conclusion of the division and the proceedings on Second Stage of the Bill shall be brought to a conclusion, if not previously concluded, after a period of two hours. The Dáil shall adjourn immediately on the conclusion of Private Members’ business.
In relation to Wednesday’s business, it is proposed that the motion re appointments (3) to GSOC shall be taken without debate.

In relation to Thursday’s business, there are three proposals. It is proposed that:

(1) The Supplementary Estimates shall be moved together, taken without debate and decided by one question.

(2) For statements on climate change and low carbon development, on the opening round, the speech of a Minister or Minister or State and the main spokespersons for parties or groups, or a member nominated in their stead shall be ten minutes each; there shall be a second round of ten minutes in total for members of the Government, Fianna Fáil and Sinn Féin to be divided proportionally on a 40-40-20 basis, respectively; there shall be five minutes for all other Members on the subsequent rounds and all Members may share time.

(3) If at 3.30 p.m., the statements have commenced and the opening and second rounds have not concluded, the statements shall continue but shall adjourn following the conclusion of those two rounds and Oral Questions to the Minister for Jobs, Enterprise and Innovation shall then be taken. The Dáil shall adjourn on the conclusion of the proceedings on Second Stage of the Social and Affordable Housing Bill 2016.

**An Leas-Cheann Comhairle:** There are three proposals to be put to the House. Is the proposal for dealing with Tuesday’s business agreed? Agreed. Is the proposal for dealing with Wednesday’s business agreed? Agreed.

**Deputy Brendan Howlin:** I put a question to the Taoiseach concerning Deputy Adams volunteering to make a statement tomorrow. Can we provide time for that?

**The Taoiseach:** I would not object to that. I think this is a matter of national importance. If Deputy Adams wishes to have the opportunity to make a statement, he should be allowed to do that.

**An Leas-Cheann Comhairle:** That can agreed among the Whips. Is the proposal for dealing with Thursday’s business agreed? Agreed. We now move on to Questions on Proposed Legislation. I will be very strict. I want to give an opportunity to speak to as many Members who have indicated as possible. Let us respect the one-minute rule on both sides.

**Deputy Micheál Martin:** In the chapter in the programme for Government dealing with improving the lives of people with disabilities, I am struck by the number of reviews proposed. They focus on enabling people with disabilities to live independent lives, providing greater independence in accessing the services they choose and placing them in a stronger position to tailor supports to meet their needs and plan their lives. The programme for Government states [D]isability policy and supports cross most government departments and agencies resulting in complexity for service users. A review of State structures and delivery will take place to respond to the introduction of personalised budgeting tailored specifically to the needs of the individual.

Can the Taoiseach indicate if this review has been established and when we can expect an outcome? The programme for Government promises a review of the role of the National Disability Authority and a proposal to consolidate all means-testing under a single national body ensuring a single application for services or entitlements across all Government agencies.
The reality of life for people with disabilities is in stark contrast with the commitments in the programme for Government. Nowhere is the word “respite” mentioned in the entire chapter of the programme for Government. I have met parents of people with disabilities. They have very significant issues and challenges, and they are getting no respite. What is going on is a scandal. I want the Taoiseach to outline how real this document is or if those reviews have been established.

An Leas-Cheann Comhairle: I thank the Deputy for observing the minute.

The Taoiseach: The task force on personalised budgets was established in September with the remit to make recommendations on a personalised budget model for people with a disability, which includes, obviously, people who have need of respite. The national task force on youth mental health was established in August and the award of the contract for the national forensic mental health service in Portrane was approved. As announced in the budget all the weekly benefits, including blind pension, carer’s benefit and allowance, disability allowance and invalidity pension are to be increased. Obviously, there are other issues in respect of health, including 10,000 medical cards for children in receipt of domiciliary care allowance.

On the specific issue, budget 2017 provided for the extension of entitlement for the treatment benefit scheme and the invalidity pension scheme to self-employed people. Obviously there are other elements of what has been followed through to date. I can advise Deputy Martin later on the specific issue he raised.

Deputy Gerry Adams: I wrote to the Taoiseach on 15 November to express my concern that the Government had decided not to purchase the final letter of surrender by Pádraig Mac Piarais at the end of the Easter Rising. The Taoiseach wrote back to advise that the Minister would contact me directly. The Minister’s private secretary wrote to advise that she would be in touch as soon as possible. I am still waiting.

The letter is due to be auctioned, I think, tomorrow or by the end of the week. It was Pearse’s letter of instruction to the Four Courts garrison. It is particularly bizarre that in the centenary of the 1916 Rising that the Government would pass up the opportunity to acquire a document of such historic import and significance for the nation.

I know that funds are limited, but I strongly urge the Taoiseach to reconsider this decision and to seek out possible mechanisms to fund the acquisition of the letter by and for the State, including utilising any remaining funding for the centenary celebrations or other funding carried forward in the Department. In many ways this is a metaphor for official Ireland’s attitude to the men and women of 1916.

The Taoiseach: It is not the intention to buy it. The Government has put forward very substantial moneys for the improvement of the mezzanine interpretive centre in the GPO, another €5 million for Kilmainham courthouse and another €5 million for the development of the military archives, the purchase of Nos. 14 to 17 Moore Street and many other issues in respect of 1916.

This is an important letter, but the estimated cost is very high. All the issues surrounding the 1916 centenary commemorations have been accepted and participated in by hundreds of thousands of people throughout the country. This letter has been in private ownership for some time and is now offered for sale, but it is not the intention of the Minister to purchase it.
Deputy Brendan Howlin: Every day more Ministers suggest they might favour a refund of water charges after all. The Minister, Deputy Coveney may be the last member of Cabinet to hold out on the matter. Reports of the Fine Gael Parliamentary Party meeting indicate that the Minister for Finance seems to be well disposed to the notion. Earlier this year, my colleague, Deputy Penrose, prepared a Bill, the water charges (fair treatment of customers) Bill 2016. Unfortunately because it imposes a charge, we cannot introduce it. I ask the Taoiseach to take on board this legislation. If not will he at least give a commitment to support the principle that law-abiding citizens who have paid their lawful charges will get a full refund?

The Taoiseach: As Deputy Howlin is well aware, a process was set up here whereby a specialist commission was asked to look at the entire issue in relation to water charges. Charges were suspended during that period. The commission has reported now directly to an all-party committee of both Houses. The Labour Party is represented ably by Deputy Jan O’Sullivan on that committee. The commission’s report did not recommend the abolition of water charges. It recommended an increased allowance and a regime for contributions after that. The process is now in place for the committee to do its work. It referred specifically to the point raised by Deputy Howlin where it said that those who had paid their way should not be treated any less fairly than those who had not.

I think it is appropriate that we should let the committee do its work, for which it was set up. It was given a specific remit and there are a range of issues surrounding that, including those who have independent wells, those who have been on group water schemes and those who cannot drink the water because of its quality. In addition, there are 42 towns still discharging raw sewage into lake, river and sea. It is my view that the committee, set up for a specific purpose, should be allowed to do its work, to reflect on the proposed recommendations - on that statement in the committee’s report as well as the others - and bring it back to the Oireachtas where a vote will take place in March 2017.

Deputy Bríd Smith: I want to ask the Taoiseach about the reports in the media that the Minister for Communications, Climate Action and Environment, Deputy Denis Naughten, was to tell the Cabinet that the pay-by-weight bin charges were to be abandoned and that the system is inflexible and will not work. Perhaps the Taoiseach will acknowledge if this is true and indicate when this matter will be brought before the House. We would welcome the measure and would recognise it as a result of pressure from ordinary people who see this as a problem. They are being penalised for the high costs of landfill at the behest of the profits of the big waste companies most of whom, as the Taoiseach is aware, keep their accounts off-shore in the likes of the Isle of Man where a significant proportion of their profits are kept from public scrutiny. The Companies Act will allow some scrutiny of those profits but I reject fully the Green Party argument that says pay-by-weight is a good thing as it would penalise the polluter. I believe that the Minister, Deputy Naughten, is now recognising that many of these polluters are people with large families, who by their nature will have more waste, and people with special needs and health needs. If one looks at the statistics, Ireland has a very high rate of recycling. When will the Taoiseach announce to the House the abandonment of pay-by-weight?

The Taoiseach: I will not announce the abandonment of pay-by-weight measures before the House. That is not what the Minister, Deputy Naughten, has been talking about. He was talking about a further extension of the current situation where charges were frozen. The Minister has been very clear about it. He said that whether a person is a small user or a very large user, everybody should have the incentive to reduce the amount of waste being sent out for collection. That is what he is looking at. There will be a regime in respect of incentivising ev-
Deputy Brid Smith: So it will not be brought in during January?

The Taoiseach: It is not the abandonment of pay-by-weight. That is not being abandoned. The Minister is looking at an effective workable position so that people - big users and small users - are incentivised to reduce the amount of waste going out.

An Leas-Cheann Comhairle: I will call the Members in the order they indicated. The first is Deputy MacSharry. I have nine Members, so we will try and respect that and include all nine.

Deputy Marc MacSharry: I thank the Leas-Cheann Comhairle. The programme for Government, in the section on jobs and rural development on page 41, it speaks of revitalising all of Ireland and creating a substantial number of jobs - some 135,000 - outside the capital. It says that we are going to give an additional €200 million to the budget of IDA Ireland to help it attract jobs to those particular areas. At what point did the Cabinet decide to begin to reverse the policy of decentralisation? It seems that the information section of the Department of Social Protection is set to be decentralised almost entirely to the Department’s office in Dublin. That is 32 positions, and while those individuals will not lose their specific jobs because they will be redeployed into current or future vacancies, it will clearly have an impact on those who wish to transfer back in the direction of the north-west as these 32 positions will have to be dealt with first. It will also have implications from a cost perspective in Dublin, with the establishment of a new section that had been quite successfully decentralised more than ten years ago.

An Leas-Cheann Comhairle: A question.

Deputy Marc MacSharry: At what point did the Cabinet decide to reverse the policy, which was successful, of decentralisation and recentralise aspects of Departments and entire sections back to Dublin?

An Leas-Cheann Comhairle: Go raibh maith agat.

Deputy Marc MacSharry: When the Taoiseach answers the question-----

An Leas-Cheann Comhairle: Deputy, there are other Members.

Deputy Marc MacSharry: -----will he address how he expects IDA Ireland and other agencies to do their job effectively-----

An Leas-Cheann Comhairle: I cannot allow the Deputy to continue.

Deputy Marc MacSharry: -----when the Government is pursuing a policy to take jobs and sections out of constituencies?

An Leas-Cheann Comhairle: Deputy, I have to be fair to all Members.

The Taoiseach: A structured and well managed decentralisation is always successful. We have gone a long way from the days of writing 53 towns on the back of an envelope and coming in here and announcing decentralisation just like that. Deputy MacSharry may remember those days.

Deputy Micheál Martin: You have decentralised nothing.
Deputy Willie O’Dea: The policy is centralisation.

The Taoiseach: I hope the west and the north west are looking at the development of the new IDA plant in Sligo and I know the region is working very hard for the amalgamation of the institutes of technology to provide a technological university. I know the area is benefitting from the economics of the Wild Atlantic Way and the massive increase in tourism. I am sure the region appreciates the extra expenditure in Ireland West Airport Knock and the opportunity for new flights coming in. I am glad to see Norwegian Air has been approved in respect of Cork Airport and I hope it will extend to Shannon Airport, where pre-clearance exists, and possibly to Ireland West Airport Knock to an extent also.

It is not a case of reversing policy.

Deputy Micheál Martin: But the Minister has done so.

The Taoiseach: A very clear policy is being pursued by the Minister, with 135 out of 200 jobs outside the Dublin region and a massive programme for broadband provision throughout the country to make every place attractive-----

Deputy Marc MacSharry: What about an answer to the question?

The Taoiseach: -----as a location for investment and growth, and power, water and communications are all being worked on.

Deputy Willie O’Dea: What about what Deputy MacSharry asked the Taoiseach?

The Taoiseach: We cannot deliver with a magic wand as the Deputy might expect.

Deputy Micheál Martin: Is that an endorsement of the policy of the Minister, Deputy Varadkar?

An Leas-Chéann Comhairle: Please observe the time.

Deputy Willie O’Dea: There is implied recognition in the programme for Government that the pension problem in the country needs to be dealt with. Does the Taoiseach find it acceptable that a solvent profitable company can change and close down a defined benefit pension scheme on a whim to the detriment of its pensioners and deferred pensioners and there is no provision in Irish law to deal with it? When will such a provision be put in place?

The Taoiseach: There is no legislation governing this in respect of Ireland. As the Deputy knows, there are two defined benefit pensions in respect of the case to which he is probably referring.

Deputy Willie O’Dea: I am not referring to any particular case.

The Taoiseach: In Britain, defined benefit is based upon levies and is only used when the company involved becomes insolvent. The major company to which we are referring is not insolvent.

Deputy Róisín Shortall: That is not true.

The Taoiseach: This is a matter in respect of defined benefit contributions, which have caused a number of difficulties over the period. The last actual certificates filled by defined
benefit schemes with the Pensions Authority show that more than 60% meet the standard and the remaining schemes have recovery plans. There is concern the certificates due in the coming months will show significant deterioration. The operation of a pension scheme is in the first instance a matter for the trustees of the particular scheme. The Minister recently met the chairperson of the Pensions Authority. He has asked the authority to report back to him with an assessment of the current overall position on defined benefit schemes. He will report to the House when it comes back to him.

**Deputy Catherine Murphy:** On the same subject-----

**An Leas-Cheann Comhairle:** The next Deputy to indicate was Deputy Eugene Murphy.

**Deputy Eugene Murphy:** I will be very brief.

**Deputy Róisín Shortall:** Three in a row.

**Deputy Eugene Murphy:** A number of weeks ago the Taoiseach and I had a conversation about the situation in An Post. On that occasion he told me the Minister of State, Deputy Ring, his constituency colleague and friend, would make a statement to the House, which he did. During our conversation, and during the presentation of the Minister of State, Deputy Ring, to the Dáil, there was no mention of increasing the price of postage. This morning we heard the Minister, Deputy Naughten, is to bring forward proposals for legislation to increase the price of postage at the very time we are trying to save post office services. We all acknowledge there is a crisis and I have one simple question.

3 o’clock

Has the Government decided to increase postage costs?

**The Taoiseach:** The Government discussed this matter this morning and, under certain conditions, it was agreed that the cap would be lifted. The Minister has already pointed out that he wants to save the five-day service for rural Ireland and to protect the delivery of services. The chief executive spoke about the opportunities that exist for An Post in the time ahead to restructure the services it provides and to offer them at the highest level possible. The Minister has already identified the reasons for lifting the postal cap in respect of the shortfall and he has been very clear about protecting the levels of service of the post office network throughout the country. The Minister of State at the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs, Deputy Michael Ring, will report to the House and there is a Cabinet subcommittee meeting, either tomorrow or Monday, at which we will also have the report from Mr. Kerr.

**Deputy Mattie McGrath:** There is a commitment in the programme for Government to improve services in the health service, including South Tipperary General Hospital. The latest reply I have from the HSE is totally unclear. It tells me it had a closing date for tender submissions of 16 November and that these were being evaluated by a multidisciplinary evaluation team. It said it was anticipated that the process would be completed and the national framework agreement would be appointed in December. It said the framework agreement would facilitate drawdown by mini-tender competition, which would facilitate shortened process timeframes. It goes on to state that mini-tender competitions were tailored for each individual hospital.

I never saw such gobbledygook. Will the Taoiseach or the Minister knock heads together at the HSE? One would need a dictionary to understand the gobbledygook it sends out in its re-
plies. They are all excuses for inaction while Clonmel hospital is at crisis point and has stopped taking admissions. It is asking people to go to their GPs as it cannot cope.

**An Leas-Cheann Comhairle:** Can the Deputy please finish? I am anxious that he get a reply to his question.

**Deputy Richard Boyd Barrett:** He is right, though.

**The Taoiseach:** I will ask the Minister to put English on the reply the Deputy received.

**Deputy Mattie McGrath:** Will he put plain English on it, please?

**An Leas-Cheann Comhairle:** I call Deputy Aindrias Moynihan.

**Deputy Róisín Shortall:** Come on. We indicated first.

**An Leas-Cheann Comhairle:** Let there be no ambiguity. I indicated very clearly that I would call Members in the order in which they indicated. I am doing that.

**Deputy Róisín Shortall:** They are all Fianna Fáilers.

**An Leas-Cheann Comhairle:** Deputy Shortall has not indicated, though Deputy Catherine Murphy has.

**Deputy Aindrias Moynihan:** There is a commitment in the programme for Government to protecting local services, in particular in respect of the transport network where the Government acknowledges the importance of the bus for older and vulnerable people. It also speaks about examining how existing routes can be made more sustainable. Locals are in fear of the Cork-Tralee No. 40 express bus, which serves Ballyvourney and Ballymakeera, being downgraded and causing social isolation and difficulty of access. Is ábhar buartha é do mhuintir na Gaeltachta-----

**An Leas-Cheann Comhairle:** Ceist.

**Deputy Aindrias Moynihan:** -----go mbainfí amach an bus sin atá ag freastal ar Bhaile Bhuirne agus Baile Mhic Íre. Can the Taoiseach give assurances to passengers travelling to and from Ballyvourney and Ballymakeera that any change in bus services will not result in a downgrading of services?

**The Taoiseach:** The transport scheme is an essential part of the services provided to the people throughout the country. Bus Éireann will explain its difficulties to the Labour Court today and it is looking at the question of the continuation of the best level of services for the people of this country. I am not aware of the difficulties in respect of the route about which the Deputy speaks but I will see to it that the Minister responds to him.

**Deputy Eamon Ryan:** We have learned that getting rid of the price cap will require emergency legislation and that the extent of the crisis in An Post is only starting to be revealed. There has been a decline of almost 7% in mail volumes this year, 10% is projected next year and the company is practically out of cash. How did we allow the situation to drift to the point that there is such an emergency? I understand there will not be any prelegislative scrutiny of the emergency legislation and that An Post, which was to have come before the joint committee today, is not now coming. Could we or should we facilitate such a meeting in advance of the emergency legislation being introduced and the price cap being removed? This is a company in
deep crisis and 9,000 employees face a bleak year in which it is hard to see how the company will survive, given the 10% drop in volumes and a price increase which will probably make it even worse. Surely the Oireachtas committee should examine it before the legislation and the price cap removal go through.

**The Taoiseach:** As a former Minister, the Deputy will appreciate the fact that there is a new management team for An Post. The management team has been in discussion with the Minister, Deputy Denis Naughten, about the matter. This morning, the Government approved the drafting of a Bill in respect of repealing section 30 of the Communications Regulation (Postal Services) Act. The Bill would include a commencement provision whereby it would be introduced only at an appropriate time when the Minister would be satisfied that the company was doing everything possible to take action to address its financial position. The Bill would also include an appropriate provision which would enable the Minister to reintroduce some form of pricing regulation if necessary. This would ensure the company would not have unfettered power over pricing. I will arrange for a briefing for the Members so they can understand where the Minister is coming from.

**Deputy Eamon Ryan:** It is very serious.

**Deputy Catherine Murphy:** On the same issue which Deputy Willie O’Dea raised, namely, the deferred benefit pension in situations in which there is a solvent company, the Taoiseach is incorrect about the situation in the UK. In the UK a solvent company cannot walk away from a defined benefit pension scheme. Does the Taoiseach not accept that there is a gap in the law? Independent News and Media has had the benefit of having more than €130 million written off by AIB and Bank of Ireland. People who have worked in the industry and who have deferred their pensions are being left very exposed due to the gap in the law. The matter is urgent. Other companies are doing exactly the same. Does the Taoiseach not see that there is an urgent need for legislation to address the gap in the law?

**The Taoiseach:** In the UK, there is a pension protection fund which is paid for by levies. However, the fund comes into use only when the company is insolvent. The company the Deputy mentioned is not insolvent. The Minister has met the chairman of the Pensions Authority and asked him to report back on the issue of defined benefits pensions and the situation that will arise over the coming months and years. We will deliberate on it when the Minister has received the report.

**Deputy Róisín Shortall:** The Taoiseach is incorrect. We should correct the record.

**An Leas-Cheann Comhairle:** Please do not interrupt.

**Deputy Declan Breathnach:** Due to the continuing and increasing seriousness of gun crime across the country, will the proposed bail legislation include restriction of bail for those arrested and charged with gun crimes?

**The Taoiseach:** Yes. The Cabinet approved the bail Bill this morning and it includes a range of measures which were not in existence before, including opportunities for electronic tagging and consistency of dealing with repeat serious offenders. The Bill will be published today and we will have a chance to discuss it here.

**Deputy Martin Ferris:** Regarding a commitment in the programme for Government for a sustainable rural Ireland, the Taoiseach will be aware of the huge losses incurred by grain farm-
this harvest season, particularly west of the Shannon and in the south west. Many farmers have lost their entire incomes and there does not appear to be any aid package forthcoming to help them. Will the Taoiseach and the Minister for Agriculture, Food and the Marine, Deputy Michael Creed, bring forward an aid package to help them and try to secure European funding to that end?

The Taoiseach: A grant aided targeted agricultural modernisation scheme, TAMS, is being developed for grain farmers. The Minister, Deputy Michael Creed, has secured credit at a low interest rate. In respect of the taxation, the Minister for Finance put in a gap year for farmers-----

Deputy Martin Ferris: I asked about the aid package.

The Taoiseach: ----who experienced a year like this one where grain was impossible to take out of fields in many places in the country.

Deputy Joan Burton: I am concerned about the future of the technological universities Bill and the impact on proper regional development unless the legislation is brought before the Dáil quite soon. Is it true that the Independent members of the Government are vetoing the Bill? It is absolutely vital to develop our institutes of technology in all our major cities and towns, particularly in the regions, if we are going to have a greater power to attract investment and industry led by the IDA. We want to see more investment in industry but without the technological universities Bill I am concerned that very little investment will be attracted to the regions in future.

The Taoiseach: I have not heard that any member of the Independent Alliance was opposed to the technological universities Bill.

Deputy Brendan Howlin: Where is it?

Deputy Joan Burton: That is the word on the street.

Deputy Kevin Boxer Moran: It must be a big street.

The Taoiseach: The Boxer is a very strong advocate of it along with a lot of others.

Deputy Brendan Howlin: It is what some of the Taoiseach’s Fine Gael colleagues told a meeting in the south east.

The Taoiseach: Senator McFadden and Deputy Moran are very strongly in favour of it. It does not apply.

Deputy Joan Burton: That is what they are telling people in Fine Gael. They might not be telling the Taoiseach.

An Leas-Cheann Comhairle: We have to have some order.

Deputy Paschal Donohoe: He is well informed. Deputy Burton should not worry.
Minister for Public Expenditure and Reform (Deputy Paschal Donohoe): I move:

That, notwithstanding anything in the Order of the Dáil of 6th May, 2016, setting out the rota in which Questions to members of the Government are to be asked, Questions for oral answer, following those next set down to the Minister for Jobs, Enterprise and Innovation, shall be set down to Ministers in the following temporary sequence:

Taoiseach and Minister for Defence
Minister for Children and Youth Affairs

whereupon the sequence established by the Order of 6th May, 2016, shall continue with Questions to the Tánaiste and Minister for Justice and Equality.”

Question put and agreed to.

Estimates for Public Service 2016

Minister for Public Expenditure and Reform (Deputy Paschal Donohoe): I move the following Further Revised Estimates:

Vote 29 - Communications, Climate Action and Environment (Further Revised Estimate).
That a sum not exceeding €228,486,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2016, for the salaries and expenses of the Office of the Minister for Communications, Climate Action and Environment, including certain services administered by that Office, and for payment of certain grants, and for the payment of certain grants under cash-limited schemes, and that a sum not exceeding €14,328 be granted by way of the application for capital supply services of unspent appropriations, the surrender of which may be deferred under Section 91 of the Finance Act 2004.

Vote 33 - Arts, Heritage, Regional, Rural and Gaeltacht Affairs (Further Revised Estimate).
That a sum not exceeding €370,040,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2016, for the salaries and expenses of the Office of the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs, including certain services administered by that Office, and for payment of certain subsidies and grants, and that a sum not exceeding €6,158,000 be granted by way of the application for capital supply services of unspent appropriations, the surrender of which may be deferred under Section 91 of the Finance Act 2004.

Vote 34 - Housing, Planning, Community and Local Government (Further Revised Estimate).
That a sum not exceeding €1,357,441,000 be granted to defray the charge which will
come in course of payment during the year ending on the 31st day of December, 2016, for the salaries and expenses of the Office of the Minister for Housing, Planning, Community and Local Government, including grants to Local Authorities, grants and other expenses in connection with housing, water services, miscellaneous schemes, subsidies and grants, and that a sum not exceeding €32,000,000 be granted by way of the application for capital supply services of unspent appropriations, the surrender of which may be deferred under Section 91 of the Finance Act 2004.

Votes put and agreed to.

**Topical Issue Matters**

**An Leas-Cheann Comhairle:** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputy Thomas Byrne - use of surplus Department of Education and Skills land in County Meath; (2) Deputy Eugene Murphy - the provision of home care packages in CHO area 2 - Roscommon, Galway and Mayo; (3) Deputies Brendan Griffin and Pat Buckley - gynaecological services delays at Cork University Maternity Hospital; (4) Deputy Jim Daly - funding streams for capital infrastructure at farmers markets; (5) Deputy David Cullinane - concerns with capacity at University Hospital Waterford and outsourcing to Cork; (6) Deputy Fiona O’Loughlin - funding for Lakeview acute mental health unit at Naas hospital, County Kildare; (7) Deputy Frank O’Rourke - when Orkambi will be available to Irish patients; (8) Deputy Dessie Ellis - the need for a primary health care centre in Finglas, Dublin; (9) Deputy Marc MacSharry - the relocation of the Department of Social Protection’s information section from Sligo to Dublin; (10) Deputy Peter Burke - the relocation of Westmeath Civil Defence; (11) Deputy Mick Barry - expansion of the waste facility at Churchfield in Cork; (12) Deputy Charlie McConalogue - the delay with issuing payments to farmers; (13) Deputies Sean Fleming, Alan Kelly, Brian Stanley - the HIQA report on Midlands Regional Hospital, Portlaoise; (14) Deputy Richard Boyd Barrett - issues with Tusla framework for assessing the needs of children with disabilities; (15) Deputy Paul Murphy - the recent referendum result in Italy; (16) Deputy Martin Ferris - to discuss the trophy hunting of red deer in Killarney National Park; (17) Deputy Catherine Connolly - maidir le cinneadh Údarás na hOllscoile i nGaillimh deireadh a chur leis an riachtanas Gaeilge a bheith ag an chéad Uachtarán eile den Ollscoil; (18) Deputy Mick Wallace - to discuss the fact that Cerberus, the American vulture fund which purchased Project Eagle from NAMA in 2014, paid €1,900 tax on the €77 million profits made by the company on Project Eagle in 2015; and (19) Deputy Mattie McGrath - the need for the Minister for Health to address the four year delay in children accessing ENT services in County Tipperary.

The matters raised by Deputies Thomas Byrne, Eugene Murphy, Dessie Ellis and Paul Murphy have been selected for discussion.
Cabinet Committee Meetings

1. **Deputy Richard Boyd Barrett** asked the Taoiseach when the Cabinet committee on infrastructure, environment and climate action last met. [36050/16]

2. **Deputy Gerry Adams** asked the Taoiseach when the Cabinet committee on infrastructure, environment and climate action last met. [37719/16]

3. **Deputy Joan Burton** asked the Taoiseach the number of times the Cabinet committee on infrastructure, environment and climate action has met. [38302/16]

4. **Deputy Eamon Ryan** asked the Taoiseach when the next meeting of the Cabinet committee on infrastructure, environment and climate action will take place. [38634/16]

**The Taoiseach:** I propose to take Questions Nos. 1 to 4, inclusive, together.

The Cabinet committee on infrastructure, environment and climate action has met twice since it was reconstituted in June. It held its first meeting on 7 July and met again on Tuesday, 25 October. The committee addresses the climate change challenge in terms of domestic policy and in relation to Ireland’s EU and international obligations. In addition, the committee drives the development and delivery of infrastructure in support of sustainable economic growth and decarbonisation. It will meet again next week on 12 December.

**Deputy Richard Boyd Barrett:** What discussions, if any, is the committee having on strategic development zones? I had a briefing yesterday at Dún Laoghaire-Rathdown County Council on the Cherrywood strategic development zone and what is, in effect, the building of a new town in south Dublin in my own constituency. This morning I was at a meeting of the Irish Glass Bottle Site Housing Action Group, which was discussing the strategic development zone on the Poolbeg Peninsula with particular reference to the Irish Glass Bottle Company site. Is the Taoiseach looking at the detail of the strategic infrastructure project areas? In particular, does the Taoiseach have a plan to ensure that, out of these very significant strategic development areas, we are going to get for the public the public and affordable housing we need to meet the disastrous housing emergency we now face? The evidence suggests we are not.

The Irish Glass Bottle Site Housing Action Group tells me that NAMA will not meet its representatives even though it has asked it to do so several times. They want to meet the Minister for Housing, Planning, Community and Local Government, Deputy Simon Coveney, and they want the Irish Glass Bottle Company site handed over to Dublin City Council to ensure that we do not get a miserable 10% of so-called social housing, but rather get at least 75% public and affordable housing. Their fear is that NAMA is going to flog that site off to developers and all we will get is a miserable 10% when we are the ones who are putting in place all the infrastructure the private developers will gain from. Similarly, the local authority is looking for €100 million from the new infrastructure fund for Cherrywood so that we can get the 8,000 residential units there. Given that this was a site sold by NAMA to Hines, a US property fund, are we only going to get a miserable 10% of these 8,000 units for the public when we have paid and will pay hundreds of millions for infrastructure? They are going to make an absolute fortune.
Should the Taoiseach not insist that we get a bigger proportion than 10% of Cherrywood for public and affordable housing? That 10% is a miserable figure which means these developers are getting a free lunch. I want some commitment from the Taoiseach that they will not get a free lunch and that the public will get something back on these strategic development zones.

**Deputy Gerry Adams:** According to President-elect Donald Trump of the USA, global warming is a hoax. According to the experts, hard data shows that global climate change presents the gravest threat to the future of humanity. On this island where we live, sea levels in the Irish Sea are rising by 3 cm per decade. While that may not sound like an awful lot, it means we will see a 0.5 m rise in the next 50 years. As many of our major cities and towns are along the coast, the environmental, economic and human cost associated with rising sea levels and climatic change presents huge and life-changing challenges. We saw it along the Shannon catchment area with the impact on families. One thing that struck me in speaking to many of those families was the degree of local knowledge, craft and eolas about the river and its environs. In my own constituency, in particular in parts of Dundalk, we also suffered serious flooding. I spoke to some of the affected families recently and they are dreading the winter. They are living in a state of stress and anxiety. There are no provisions that I can establish to deal with flooding issues on the Ardee Road at Mounthamilton and Bellurgan, which is just outside the town. While the CFRAM plans when enacted will, of course, alleviate some of these difficulties, that is years down the line. I am asking what plans the Government has to deal with this winter. I walked the Flurry River with local people who say it needs to be desilted and that the sluice gates need to be fixed. The local authority says it does not have the money for any of that. Will the Taoiseach outline the Government’s preventative plans for potential flooding risks this winter? Has additional funding been allocated to local authorities?

Can the Taoiseach speak to the recent EPA report on urban wastewater treatment which reveals that ten out of our 171 large urban areas do not meet EU requirements to provide secondary treatment to reduce the risk of pollution? It also states untreated wastewater from 43 areas is routinely discharged into rivers, estuaries and coastal waters. It found that 45 wastewater works were linked with river pollution. Given the graveness of the issue, will the Taoiseach indicate the specific steps the Government plans to take?

**Deputy Joan Burton:** In the context of infrastructural development, I draw the attention of the Taoiseach to the €200 million local infrastructure fund which was introduced when the Labour Party was in government. The amount sought is up to four times higher than the funding available. Housing is urgently needed in the Dublin area, in particular, as well as in other parts of the country, as the Taoiseach knows. He is in agreement that more houses need to be built for young people to buy, as social housing for renting and specific groups such as older people. There is a strategic development zone in Dublin West, Hansfield, for which there has been full planning permission for ten years to build an additional 3,000 houses on a very nice site which is very attractive and which will be well supported by purchasers and renters. It will not be possible, however, to develop the site unless Fingal County Council can access funding to develop roads into it. More than 12,000 houses have been built in the past 12 to 15 years in Hansfield, Littlepace and Onger and an additional 3,000 houses could be built, but the necessary funding is lacking. There was planning permission for the entire period of recession, but it will not be possible for the council to get private builders on site unless roads are built. Will the Taoiseach and the Government ensure additional loans will be taken out with the European Investment Bank, for example, or that other sources of funding will be made available? I note that the Minister for Finance, Deputy Michael Noonan, attended a meeting of Finance Ministers
yesterday. He finally suggested the European Union should allow more budget flexibility to allow for more development in countries such as Ireland. Unless many more houses are built than the current targets allow for, we will face meltdown. In the same area to which I referred many people face rent increases of up to 40% once the two-year moratorium on rent increases introduced by the former Minister, Deputy Alan Kelly, comes to an end. The Government is drifting towards a point where this will cause enormous difficulties.

**An Leas-Cheann Comhairle:** I ask Deputies to be conscious that we want to allow the Taoiseach a few minutes in which to respond.

**Deputy Eamon Ryan:** I will be brief. The reason I asked when the next meeting of the Cabinet sub-committee was due to take place was I was particularly interested to see whether there had been any progress on the proposed establishment of the national dialogue on climate change. A presentation was made to the last sub-committee by environmental groups and, to be honest, our sense is that nothing has happened since. There is a certain frustration that what is contained in A Programme for a Partnership Government will not be delivered. Progress is urgently needed because we are falling behind. The latest climate statistics are very dramatic in showing how we are going backwards rather than meeting any target. We need an extensive and creative dialogue on climate change. The underlying problem is that there is no political support in the House because there is no public support for action. I am very keen to know when the next meeting will take place. I would like to see a sub-group of the Cabinet sub-committee on the national economic dialogue established, with an independent chairperson and a budget to bring in groups involved in the agriculture, transport and energy sectors. The Government has stated it wants to do this. It has now been six months and there is no sense that it is happening. There is a certain sense of urgency at this stage because if we do not do this quickly, consultation on the national planning framework will have started, the capital review will have taken place and we will not have stitched in proper dialogue on how to start addressing climate change as one of our core visions for the future of the country.

**An Leas-Cheann Comhairle:** I ask the Taoiseach to be conscious of the fact that there are only three and a half minutes remaining.

**The Taoiseach:** In response to Deputy Richard Boyd Barrett, strategic development zones are developed in the first instance by local representatives in city councils and other local authorities. They are not developed by the Minister acting alone. There is always a minimum figure of 10% for social housing. The Deputy can take it that the Minister for Housing, Planning, Community and Local Government and the relevant Minister of State are focused on the fact that moneys spent by the Exchequer on infrastructure will have to show a very clear result in terms of social housing provision. The Deputy mentioned two sites. The draft plans will be developed and placed before the Minister in due course. There are no free dinners, nor should there be.

On the comment of Deputy Gerry Adams on President-elect Trump, he had a long and very constructive and meeting with the former Vice President, Mr. Al Gore, who is now dealing with the issue of climate change and carrying out global visits. I understand the meeting was quite constructive and informative for the President-elect. It may well have an impact on the actions he proposes to take from here on.

The Deputy is correct; everybody living along a river such the Shannon has local knowledge and experience. When I visited the area, people told me that many years ago during the sum-
mer they used to walk across the river at particular points at low water. A great deal of work is ongoing. Extensive work has been carried out in Athlone to attempt to prevent flooding this winter and I hope the rains will not be of the same order as last year.

I was in Craughwell, County Galway a week ago with Deputy Ciarán Cannon, the Minister of State, Deputy Seán Canney, and others. Work will take place there in the next three years. The first development in 50 years is taking place on the Dunkellin river and a diversionary channel with proper structures is being put in place. Work has been carried out by the Office of Public Works and engineering firms to undertake the work properly. I can have the Minister of State, Deputy Seán Canney, supply Deputy Gerry Adams with the details of all of the works taking place. They are extensive and will continue.

On urban waste, part of the reason we need a national public utility is to deal with the fact that, according to the EPA, raw sewage is still being discharged into lakes, rivers and seas. This is not acceptable in 2016. We will deal with the issue by having a national entity that will be able to seek savings in public procurement and provide real value for money which is happening to a great extent.

On the point made by Deputy Joan Burton, there have been many more applications received than the amount of money available. The Minister of State, Deputy Damien English, has pointed out on many occasions that there are increased levels of assistance and increased opportunities available under the programme for Government and the housing action plan to deal with the development of sites. A special unit in the Department will deal with the matter and the Minister of State will make the decision on what sites should be selected. We will not select sites to be opened and then find that no houses have been built for ten years. In cases in which people are ready to go, if supply is the issue, it should be given priority. Are we going to continue to carpet the entire Dublin region in the same manner for the next 20 years? Should we instead consider the structure and nature of developments we want to see in the next 20 years, given its burgeoning population?

On the point made by Deputy Eamon Ryan, following the meeting next week I expect to have a response to his question. It is to be hoped progress will be made in the national dialogue. I enjoyed the conversations with and presentations made by the groups he brought before the Cabinet sub-committee. I will respond to him next week.

UK Referendum on EU Membership

5. **Deputy Gerry Adams** asked the Taoiseach the engagement his Department’s officials have had with the European Commission’s Brexit negotiating team led by Mr. Michel Barnier. [36336/16]

6. **Deputy Brendan Howlin** asked the Taoiseach if he will report on his engagements with the European Commission negotiating team on Brexit and Mr. Michel Barnier. [37413/16]

The Taoiseach: As I previously reported to the House, I welcomed the European Commission’s chief Brexit negotiator, Mr. Michel Barnier, to Government Buildings on 12 October. His visit to Dublin was one of a series of engagements in EU capitals in order to prepare for the forthcoming negotiations. During the visit he also met the Tánaiste, the Minister for Foreign Affairs and Trade and the Minister of State with responsibility for European Affairs, as well as
Dáil Éireann

senior officials.

Under the political guidance of the European Council, that is, EU Heads of State or Government, Mr. Barnier will lead the Commission team in the withdrawal negotiations with the United Kingdom once Article 50 has been triggered. During my discussions with him, I took the opportunity to explain in some detail Ireland’s unique set of concerns relating to Northern Ireland that arise from Brexit, including the peace process and citizenship issues, the common travel area and Border issues, and the depth of our economic and trade relationship with the United Kingdom. We also discussed Ireland’s strong commitment to EU membership and our intention to play a full and constructive part in the negotiations process. In this context, I briefed Mr. Barnier on the various strands of work that are advancing at political and official levels here to prepare Ireland to the maximum extent possible for the period ahead. Deputies will note Mr. Barnier’s comments yesterday in respect of his support for the Good Friday Agreement and the conditions that apply to it.

Given the critical role of Mr. Barnier and the Commission, it was also useful to exchange views about the process and how negotiations might be handled. There was a commitment to continue to work closely with the Commission and its team in the period ahead and this has been proceeding, including the holding of further meetings between senior officials from Dublin and the task force in Brussels in November.

Deputy Gerry Adams: I am sure the Taoiseach welcomes, as do I, the statement this morning by the European Commission’s chief negotiator, Mr. Michel Barnier, that he would do his utmost to preserve the success of the Good Friday process. Mr. Barnier also pointed out, as we all know, that Brexit will have consequences for the EU’s external borders, including that on this island. The Government must redouble its efforts to ensure that this does not happen. We would argue strongly that this can best be achieved by a diplomatic offensive to build support for designated special status for the North within the European Union. Mr. Barnier also spoke of the possibility of a transitional period as a means of avoiding what is called a hard Brexit. There is sense in that possibility and I am interested to hear the Taoiseach’s view on it.

Has the Government obtained any legal advice on the implications of the potential judgment by the British Supreme Court on Prime Minister May’s decision to trigger Brexit by the end of May? We have seen the welcome decision of the people of Austria to reject the far right presidential candidate as well as the decision of the people in Italy to reject the proposed reforms by Prime Minister Renzi, which has refocused speculation on the future of the euro and the EU itself.

The Minister for Finance has stated that he does not believe there will be any financial crisis here because of his view that the Irish banks are very strong. This seems to be at odds with the summer stress test carried out by the European Banking Authority on Allied Irish Banks and Bank of Ireland. Both these banks were among the worst suffering of the 51 financial institutions. Does the Taoiseach agree with the Minister or does he agree with the European Banking Authority, which stated that more work was needed to put these Irish banks on a firmer footing? I remind the Taoiseach that only last week these banks were exposed as dragging their feet on restoring tracker mortgages for thousands of people, including some who have lost their homes.

What measures will the Government introduce to protect Irish households and businesses that are at risk from further exchange rate fluctuations? Will the Taoiseach outline the Government’s strategy for engaging with other EU Governments at this critical time?

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Deputy Brendan Howlin: Every time I listen to either a spokesperson from any of the negotiating teams, whether it is that of the Commission or the Parliament, or any British commentator, there seems to be a complete misunderstanding of how this will work out. As Deputy Adams has stated, Michel Barnier, when asked today if he believed there would be a hard border on the island of Ireland, replied, “The UK’s decisions to leave the European Union will have consequences, in particular, perhaps, for what are the EU external borders”. That would imply that his understanding is that there will have to be some sort of border on the island of Ireland, although he did go on to say that he is personally very well versed in the Good Friday Agreement. As Commissioner with responsibility for regional affairs, he was involved in negotiating funding for the PEACE programmes. He also said that the four freedoms of the Single Market are indivisible and that cherry picking is not an option. However, as we have seen from the photograph taken of officials leaving Downing Street last week, cherry picking or, as Britain would put it, having one’s cake and eating it, seems to be on someone’s menu in the United Kingdom.

I have a number of questions. From speaking directly to Mr. Barnier, who is an astute and experienced European parliamentarian, Commissioner and politician, does the Taoiseach have any sense of where this will land? It cannot be that we will have free movement and a hard border, as both of these are incompatible. Has Mr. Barnier thought out or has the Taoiseach worked out some sort of mechanism that will achieve those two objectives which, on the face of it, are irreconcilable?

As we understand it, the triggering of the exit of the United Kingdom under the mechanism provided for in Article 50 of the Lisbon Treaty is to happen by the end of March 2017. Mr. Barnier stated that the process should be completed by October 2018 in order to get the timeframe within the two years so that it is endorsed by the European Parliament. Most people who have examined the process, including all the leaks from Britain, would say that October 2018 is an impossible deadline given all the complications associated with the negotiations. There is also the prospect of an interim arrangement. How will the issues on the table, which are on the face of it irreconcilable, be addressed? What is the Taoiseach’s view of the timing aspect? Will there be, if one likes, an interim solution? Is that now the preferred option? Does the Taoiseach have any thoughts on that possibility since, on the face of it, it is impossible to have the negotiation completed within two years?

Deputy Micheáel Martin: On that very point, at the moment, shaping is going on on all sides, although it is difficult to discern what is going on within the British Government.

Deputy Brendan Howlin: It is having its cake and eating it.

Deputy Micheáel Martin: It is having its cake and eating it. For example, it seems to be unaware of the difference between the Single Market and the customs union. One Minister wants to be outside the customs union but inside the Single Market and so on. The point about a transitional arrangement is the one that interests me. There was a hint of it from the Prime Minister some weeks ago, although she came out strongly afterwards to dismiss it. I agree with Deputy Howlin in that the bottom line is that few people see this being concluded in two years given the enormity of what has to be negotiated. This begs the question of whether a transitional phase or arrangement could be entered into.

Has the Taoiseach considered taking an initiative to change the paradigm? At the moment, it seems as if Europe is ganging up to ensure it does not give Britain a soft exit because it does not want to jeopardise the overall integrity of the union. On the other side, Britain seems to be
saying it wants to control everything while having access to the Single Market, etc., but not hav- 
ing freedom of movement. If the realpolitik is that a transitional arrangement is what emerges, 
which could stretch this out for a couple of years, there is an imperative on both the European 
and the British sides to start knocking heads together and to ensure that the best possible ar-

rangement can be arrived at, which is one that guarantees the future of the European Union and 
puts it on a firm footing while at the same time minimising trade disruption. There are enough 
shocks to the system globally now and we do not need the clearly damaging impact that Brexit 
represents. Brexit will damage the European, Irish and United Kingdom economies, of that 
there is no doubt. Every economist’s analysis of its impact has been negative.

People need to change their mindsets about this issue and go about it in a different way. 
How can we minimise disruption and damage and inject a bit of common sense into the issue? 
While the recent by-election was in a London constituency, nevertheless the Liberal Democrats 
overturned a 25,000 vote majority the Conservatives had enjoyed just a short number of years 
ago. This is a straw in the wind which indicates that the reality that Brexit is not all it was 
cracked up to be is seeping into the British public. Europe would do well if it changed its ap-

proach. I ask the Taoiseach, as the leader of the country, to take an initiative to move people 
to that sort of a pathway, as opposed to the very negative stuff that is going on at the moment.

**The Taoiseach:** In respect of Deputy Adams’s question, it is good the Commissioner said he 
supports the Good Friday Agreement. I have explained this to all the leaders at European level 
and it was reflected in the conversations between Chancellor Merkel, President Hollande and 
Prime Minister May in respect of the importance of the Border and Good Friday Agreement.

We have had an argument before about what Deputy Adams described as an alternative 
strategy or a special status. What I prefer to say is that we have a particular circumstance here 
in that we have a peace process, a Border and PEACE and INTERREG funds. This circum-

stance is special and different and does not apply anywhere else. We want to grow that in the 
time ahead. The Deputy can put whatever term he likes on it. We need to make everybody 
aware that the particular circumstances that apply are important in terms of the peace process 
supported by Europe and move on with that.

I do not want to comment on the outcome of the Supreme Court case in Britain. It is not my 
business. Obviously, the court will make a decision to back or overrule the High Court. In any 
event, I understand the Prime Minister intends to move Article 50 in due course.

The Deputy referred to Italy. The three parties involved in the Italian opposition cannot 
agree among themselves on most issues. The referendum was on institutional and constitu-
tional issues within Italy, not on the future of the European Union.

Stress tests are carried out by the banks and changes have been made at European Central 
Bank level in regard to the collapse of banks and all that. These changes provide strengthened 
defences for taxpayers in Europe. While there is clearly an issue with some of the major banks 
in Italy, I hope the stability reflected in the markets following the decision of the Italian people 
and the announcement by Prime Minister Renzi of his resignation speak for an opportunity to 
move on.

The engagement with others is taking place today and it is continuous with all the different 
Ministers. For example, the Minister for Finance, Deputy Noonan, is at the ECOFIN meeting.

Deputy Howlin asked questions on whether there is a misunderstanding about how Brexit
will work, a hard and soft Border, the Single Market and the four freedoms. All I can say is that the decision on Brexit has been made and the British Prime Minister has said she is moving on to implement it. At a European level, there have been no discussions or negotiations about this issue, other than a reflection on a strategy of the other 27 member states when they met in Bratislava. Leader after leader has made clear that when Article 50 is triggered, if Britain wants to control its borders and withdraw from the Single Market, it will not have access to particular sectors of the Single Market. While there are no formal negotiations, it has been made perfectly clear that if one wants access to the Single Market, one must allow freedom of movement of people. If one considers that Britain must build 1 million houses, proposes to build a nuclear power station, may build a third runway at Heathrow Airport and wants to restore and repair large segments of the motorway system, serious numbers of people will be required to build all of that.

Timing is an issue. I believe the matter cannot be addressed in the time that is set out in the European Union treaties. No country has ever left the European Union and we have had 50 years of directives, regulations and legislation. As Deputy Micheál Martin pointed out, Article 50 will be triggered by a letter to the Commission, after which we will have exit negotiations. My belief, however, is that a transition period extending beyond two years will be necessary because the issue is far too complicated.

Commissioner Barnier stated he would like the process to be completed within 18 months in order that we could have reflection before ratification by the European Parliament. My belief is that we will go well beyond that timeframe. The Commissioner made clear that he would not and cannot make any decisions without the imprimatur and oversight of the political Heads of State and Government of the European Council.

On changing attitudes, I agree that the European Union should focus on its future. People in the United Kingdom have made a decision and the Prime Minister has stated she will implement Brexit. Britain will leave and the letter will be written before the end of March 2017. The European Union should look to its own future. It cannot continue with 50% unemployment rates among young people. We must have infrastructure and the capacity to invest in it. I am glad to be able to say that we will open a European Investment Bank office in Dublin this week, which will, I hope, lead to the people’s bank, which the EIB is, becoming far more active in supporting many pieces of infrastructure around the country, either as part of the Juncker plan or as a new development.

Deputy Brendan Howlin: The State cannot spend under the rules.

The Taoiseach: I agree with Deputy Micheál Martin that there is no point in having a viciousness or very trenchant view from leaders at a European level because Britain is leaving the EU. On the other hand, it cannot be that when a country leaves the European Union it is seen to be advantaged by so doing. There is a balance to be struck. If we want to continue without a disruption of trade, the best outcome would be one which is as close as possible to what we have now. We could then deal with our political problems at a European level.

Taoiseach’s Meetings and Engagements

7. Deputy Micheál Martin asked the Taoiseach if he met Scotland’s First Minister, Ms Nicola Sturgeon, when she was in Dublin; the issues discussed; and if Scottish unity was men-
8. **Deputy Brendan Howlin** asked the Taoiseach his plans for a bilateral meeting with the Scottish First Minister regarding Brexit. [37411/16]

9. **Deputy Micheál Martin** asked the Taoiseach if he met Scotland’s First Minister, Ms Nicola Sturgeon, when she was visiting Dublin on 29 November 2016; and the issues they discussed. [37699/16]

10. **Deputy Gerry Adams** asked the Taoiseach if he met the First Minister of Scotland, Ms Nicola Sturgeon, during her recent visit to Dublin. [38638/16]

**The Taoiseach:** I propose to take Questions Nos. 7 to 10, inclusive, together.

Diary constraints, including my visit to the Vatican and a meeting with Prime Minister Muscat of Malta as part of his pre-EU Presidency tour of capitals, meant that it was not possible for me to meet First Minister Sturgeon during her recent trip to Dublin. In recognition of these constraints, I arranged instead a bilateral meeting with the First Minister in Cardiff on 25 November, as we were both due to attend a summit of the British-Irish Council there.

The meeting was a useful opportunity to discuss the growing bilateral relations between Scotland and Ireland and our perspectives on the United Kingdom’s withdrawal from the European Union. We agreed that, whatever the outcome of the Brexit negotiations, we both wanted to maintain and develop bilateral relations between our two countries. While the First Minister was clear that she was contemplating options to keep Scotland in the Single Market, we did not discuss the prospect of Scottish independence.

While in Dublin, First Minister Sturgeon met my colleague, the Minister for Foreign Affairs and Trade, Deputy Charles Flanagan, to continue those discussions.

**Deputy Micheál Martin:** I thank the Taoiseach for his reply. He stated he met Scotland’s First Minister, Ms Nicola Sturgeon, at the British-Irish Council meeting in Cardiff, rather than in Dublin. I am glad the bilateral relationship is still strong and warm and that Ireland and Scotland share many common interests. Did the Taoiseach discuss with the First Minister the various scenarios in terms of Scotland remaining within the European Union? Is it the intention or desire of the First Minister that Scotland remain within the European Union? How does Scotland see itself in terms of the broader United Kingdom negotiations with the European Union?

I take it that First Minister Sturgeon was, as she has stated publicly, absolutely committed to Scotland retaining access to the Single Market because it is, to use her words, “the least worst outcome”. Did the Taoiseach discuss with the First Minister her meeting with the British Prime Minister, Ms Theresa May, in October? What is instructive is that following that meeting, the First Minister said that from everything she had “heard today in Downing Street there isn’t yet a UK Government negotiating position.” Does the Taoiseach agree with the First Minister’s assessment of the British Government position being one that is devoid of a clear negotiating position? Given that the Taoiseach is on record as saying that there has to be some accommodation, understanding, reflection or acknowledgement of the majority vote in Scotland being to remain in the European Union, did he discuss with the First Minister the idea that at some time in the future Scotland will either remain or be part of the European Union? I accept the Taoiseach’s assurance that the issue of independence was not discussed. Nonetheless in the overall mix, in terms of the interaction between the UK, the European Union and Scotland, what is his
assessment of where Scotland will want to go in terms of the Brexit issue?

Deputy Brendan Howlin: On the point made by Deputy Micheál Martin in regard to the clearly enunciated view of the Scottish First Minister that she wants a bespoke deal for the people of Scotland, in the same way as many have argued that a bespoke deal is required for the people of Northern Ireland, both of which by a significant majority voted to remain part of the European Union, has the Taoiseach, domestically or at European Union level, sought or received any legal advices on the feasibility, legally, of a special deal being done for Scotland or Northern Ireland? Has he had any discussions with the Scottish First Minister on her understanding of the legal possibility, within the architecture of the European Union, of part of the UK being permitted to remain in the European Union or to have a deal that pertains to it only and not the remainder of the United Kingdom at the time when the remainder of the UK exits the European Union?

Some of us had the privilege of meeting the First Minister of Scotland in Dublin. It would not be unfair to characterise her view of the British negotiating position as opaque. Would that be the Taoiseach’s understanding based on his direct discussions with the Scottish First Minister? As I understand it, in terms of all of her interactions with the British negotiators, she did not come away with clarity as to what the UK position would be.

Deputy Gerry Adams: Most people I spoke to were very pleased with the tone of the visit of the First Minister, Ms Nicola Sturgeon. As the Taoiseach is aware, she has been forthright in indicating her preference that Scotland remain in the European Single Market. She has also said that a referendum on Scottish independence is on the cards. I believe people here are impressed by that type of leadership.

In regard to Ireland, there is a recognition at EU level of the special circumstances that pertain to the island of Ireland and so it is entirely rational to argue for the North to be designated special status within the EU, which is what the people voted there for. There are precedents for doing that. It is also logical, rational and compulsory for a Taoiseach to argue for Irish unity. In her address to the Seanad, the First Minister, Ms Nicola Sturgeon, said that we are living in unprecedented times and these unprecedented times require imagination, open minds and fresh thinking. We need to ensure political stability, economic prosperity, trade relationships and jobs on the island of Ireland if we are enhance all sections of our community. I ask the Taoiseach to reflect on the First Minister’s statement to the Seanad that we are living in unprecedented times in response to which we need imagination, open minds and fresh thinking. In my view, as a member of the European Union we have an obligation, and the right to do so, to bring forward a proposal, under Article 48 of the treaty of the European Union, for Northern Ireland to be given the special status for which Sinn Féin and others have been advocating and for the people of the North voted.

The Taoiseach: I had a very good meeting with the First Minister, Ms Nicola Sturgeon, in Cardiff, at which we discussed a wide range of issues. I welcome that she was invited to address Seanad Éireann, where I understand she gave a very good account of herself. We did discuss the offices that have been opened in Dublin and Scotland in respect of Irish-Scottish business and we both agreed that we should develop the opportunities for trade both ways. I expect that trade to be enhanced in the time ahead.

The First Minister was very clear about what she wants. The vote of Scotland being one to remain, the real priority for her is access to the Single Market. As stated by Deputies Micheál
Martin, Howlin and Adams, if the European Council was asked to make a decision on the Brexit situation it could not do so because as the British Government has not yet triggered Article 50, there is no clarity as to what the ask is or in regard to the position being put forward. In other words the question remains if Britain proposes to withdraw from the Single Market and the customs union, or if it proposes to withdraw from the Single Market and remain within the customs union. All of these are issues that have an impact. As Mr. Barnier pointed out, whatever the decision there will be an impact.

As I said, I have spoken to the First Minister, Ms Sturgeon. She fully understands and respects the position of Ireland as a country that will be remaining as a member of the European Union and she does not want to interfere in any way in that regard. She also appreciates that we do understand Scotland’s real priority in this matter. I note that the First Minister has confirmed to her party that the Independence Referendum Bill will be published for consultation. That process is under way. I have not sought legal advice on behalf of Scotland in respect of special status. It is not my place to do so.

Deputy Brendan Howlin: What about Northern Ireland?

The Taoiseach: That is a matter for the Scottish Assembly and the Scottish people.

On Deputy Adams’s point about Northern Ireland and a united Ireland, as I have said on many occasions I defend the principles that are contained in the Good Friday Agreement and successive agreements that allow for that opportunity to be dealt with were it to present itself. As Deputy Adams is only too well aware, the Good Friday Agreement allows for that. I have made the point publicly before that whatever negotiations take place, the language should reflect that the co-guarantor aspect should be continued. The Good Friday Agreement is an internationally legally binding agreement that holds out that principle and opportunity at some point if the will of the people were such.

On the issue of special status, we already have it. We should not be seeking to commence a process of seeking new special status. We are in a position whereby Europe recognises and supports the peace process, in respect of which it provides benefits and has done so for many years. The next programme runs until 2020. This does not apply anywhere else within the European Union. There is no other peace process. There will be no other land borders when Britain exits the EU. There are no other INTERREG or PEACE funds. That is a particular circumstance that does not apply anywhere else. If the suggestion is that we should allow that to peter out and should then ask for something else we are into a different kind of argument.

4 o’clock

It is really important that we understand very clearly that what Europe has supported to date, along with the United States and elsewhere, needs to be kept in situ.

One may call that whatever one wants: I call it a particular set of circumstances that apply here in regard to Northern Ireland. I would much prefer it if we had greater clarity, which we will not have until the Prime Minister decides, within her rights, to move Article 50. Within the party in the House of Commons, there are those who express frustration over a lack of clarity on the position being put forward by Britain. I hope that comes reasonably quickly.
Renewable Energy Generation Targets

34. **Deputy Timmy Dooley** asked the Minister for Communications, Climate Action and Environment if Ireland is on target to meet binding European Union 2020 renewable targets; the fines that will be realised if not achieved; and if he will make a statement on the matter. [38773/16]

**Deputy Timmy Dooley:** Could the Minister set out in the House the position on the binding European Union 2020 renewable targets and the fines that will be realised if we do not achieve the targets that have been set out?

**Minister for Communications, Climate Action and Environment (Deputy Denis Naughten):** I thank the Deputy for the question.

The Energy White Paper, Ireland’s Transition to a Low-Carbon Energy Future, published in December last, sets out a vision for transforming Ireland’s fossil fuel-based energy sector into a clean, low-carbon system by 2050.

The EU renewable energy directive set Ireland a legally binding target of meeting 16% of our energy demand from renewable sources by 2020. Ireland is committed to achieving this target through meeting 40% of electricity demand, 12% of heat and 10% of transport from renewable sources of energy, with the latter transport target also being legally binding.

The Sustainable Energy Authority of Ireland, SEAI, has calculated that 25.3% of electricity, 6.5% of heat and 5.7% of transport energy requirements were met from renewable sources at the end of 2015. The SEAI analysis also shows that 9.1% of Ireland’s overall energy requirements in 2015 were met from renewable sources and has estimated that this avoided over €286 million of fossil fuel imports.

The Government has a range of policy measures and schemes to incentivise the use of renewable energy and although good progress towards the target has been made to date, meeting the 16% target remains challenging. The renewable energy feed-in-tariff schemes support the development of a range of renewable electricity technologies including hydro, biomass combustion, biomass combined heat and power, landfill gas and onshore wind.

My Department is currently developing a proposed new renewable electricity support scheme and a new renewable heat incentive scheme, designed to assist us meeting our targets. The introduction of any new scheme, including the overall costs and technologies to be supported, will be subject to Government approval and state aid clearance from the European Commission.

In addition to our onshore wind resource, bioenergy, solar, offshore wind and other technologies may play a role in diversifying our renewable generation portfolio over the period to 2030.

*Additional information not given on the floor of the House*

In the transport sector, Ireland aims to meet its renewable target mainly through the in-
creased use of sustainable biofuels, with electric vehicles also making a small contribution. A further increase to the obligation rate in the biofuels obligation scheme will take effect from 1 January 2017 when the rate will increase to 8% by volume.

The renewable energy directive provides a comprehensive framework for member states to work towards achieving individual and EU renewable energy targets, including mechanisms for countries to work together such as statistical transfers, which allow member states to meet their targets by purchasing credits from member states that overachieve on their renewable targets. The SEAI has estimated that the cost to Ireland of meeting our overall renewable energy targets other than through domestic measures may be in the range of €100 million to €150 million for each percentage point by which Ireland falls short of the overall 16% renewable energy target.

While all options will be kept under review, the focus of my Department is on the implementation of the range of actions set out in the White Paper that will enable our transition to a low-carbon economy.

**Deputy Timmy Dooley:** I thank the Minister for setting out the background. Yet again, there is a proposal to put a plan in place to reach the 2020 targets. It is the case that the figures reflect relatively paltry growth across the renewable energy sector and even show a 0.2% decrease in the portion of the heating sector powered by renewable sources. It is well recognised across the industry that we have made considerable headway in regard to the generation of electricity but we are very significantly behind regarding transport and the heating sector. I would like the Minister to explain, as best he can, when we can expect to see a plan setting out a method for achieving the targets set out for 2020. In doing so, can he identify for us what the cost will be if we do not reach those targets? The SEAI has estimated that the cost to Ireland may be in the range of €100 million to €150 million for each percentage point by which Ireland falls short of the overall 16% renewable energy target.

**Deputy Denis Naughten:** I disagree that there has been paltry growth across the sector. In fairness, the Deputy has acknowledged that, on the electricity side, significant progress has been made. I accept that a lot more can be done with regard to both transport and heat. Transport falls within the competency of the Minister for Transport, Tourism and Sport, Deputy Shane Ross, and heat falls within my remit. I hope to be in a position later this month to circulate for the final phase of public consultation the proposal regarding the renewable heat incentive scheme. Our objective is to try, in so far as is humanly possible, to reach the renewable heat target of 12% by 2020. We are determined to push that along.

**Deputy Timmy Dooley:** Tempting as it is to transfer some of the burden to the Minister for Transport, Tourism and Sport – I understand why it might be – there are so many burdens on his shoulders right now, sadly, that I suspect he will not get next nor near the transport sector to address its impact on climate change. It would be helpful if the Minister could confirm the estimate of the SEAI that for every percentage point by which Ireland falls short of the 16% target, the cost to the State in fines will be in the region of €100 million to €150 million. Could he address that? Could he identify in so far as he can – we will be dealing with this in another question – what more he believes he can do in the energy generation sector? Perhaps we will leave that for the next question. Could the Minister address the impact of fines and give us a quantum in that regard? Could he confirm that the responsibility for the impact of the transport sector on climate change rests with himself? The co-operation of the Minister for Transport, Tourism and Sport is required, of course, from an overall policy perspective in putting the transport sector into a position in which it can meet its targets.
Deputy Denis Naughten: I confirm that the SEAI has estimated that the cost to Ireland may be in the range of €100 million to €150 million for every percentage point by which we fall short. This does not relate to fines but to having to buy off the shortfall. Whether there will be fines is a completely separate matter.

On the burden on transport, policy responsibility lies with the Department of Transport, Tourism and Sport, not my Department. That said, however, the two initiatives on the transport area have been progressed by my Department. I refer to the initiatives on biofuel substitution and the blending of fuels and on electric vehicles, both of which have been pushed forward by my Department. What I have is overall responsibility for co-ordinating what takes place across all Departments. That is why we will be putting out for public consultation within the next few weeks the draft mitigation plan. It will examine the measures across all Departments to deal with energy reduction and the use of renewable heat. We will be announcing our draft proposals on renewable heat within the next couple of weeks. Therefore, there will be significant movement on many of these aspects over the coming weeks. People will get the opportunity to have an input. I look forward to the feedback of Deputy Timmy Dooley and to making progress thereafter.

Media Mergers

35. Deputy Brian Stanley asked the Minister for Communications, Climate Action and Environment if he will use his powers to prevent the purchase of a company (details supplied) in the interest of maintaining a level of media plurality here. [38677/16]

Deputy Brian Stanley: Members are very aware of the damaging effects of the lack of media plurality and that this is having an effect on our democracy. A threat of legal action is hanging over this House at present. The situation is untenable if the purchase of Celtic Media Group by Independent News and Media is allowed to go ahead unchecked, thus adding more regional newspapers to its empire. The Anglo Celt, the Meath Chronicle, the Connaught Telegraph, the Offaly Independent, the Westmeath Examiner, the Westmeath Independent and the Dublin People would be added to Denis O’Brien’s already vast media empire.

Deputy Denis Naughten: Following approval by the Competition and Consumer Protection Commission, notification of the proposed merger referenced in the question was received by me as Minister on 21 November 2016. I have 30 working days from the notification deadline of 24 November 2016 to conduct an initial, or phase 1, assessment of the case on media plurality grounds. This examination is guided by the relevant criteria laid out in the legislation and by the guidelines on media mergers, both of which are available on my Department’s website. Following this examination, I have three options under the legislation, which are to allow the merger to proceed, to allow the merger to proceed with conditions or to ask the Broadcasting Authority of Ireland, BAI, to conduct a more in-depth, or phase 2, examination of the proposed merger.

If the third option is the case, then the BAI will, following its examination of the proposed merger, provide me with a report detailing its recommendations on the matter. It is also possible for me as Minister to establish an advisory panel to provide an opinion to the BAI on the application of the relevant criteria to the media merger in question. Following receipt of the BAI’s report and recommendations, I must then make a decision to allow the merger to proceed, to allow it to proceed with conditions or to refuse to grant my consent. It would not be appropria-
Deputy Brian Stanley: I thank the Minister for his reply. The issue of Mr. Denis O’Brien’s Independent News and Media, INM, purchasing the Celtic Media Group is one of the most serious issues facing democracy and the media at this time. I am concerned about whether the Government is taking it seriously enough. There is a great deal of talk about plurality and so on, but are we taking it seriously when we have media moguls with fat wallets running to the courts to silence Members of this House? We need clarity on this.

A European Parliament report was published on the concentration of media ownership in this country. It described Ireland as having “one of the most concentrated media markets of any democracy.” An additional report published by KRW Law and Doughty Street Chambers and commissioned by my party colleague, Ms Lynn Boylan, MEP, identified two main controlling entities - RTE, the State broadcaster, and the individual businessman, Mr. Denis O’Brien.

Deputy Brian Stanley: Has the Minister read the Doughty Street Chambers report, which was commissioned by Ms Boylan? It describes us as having a perfect storm that threatens news plurality and undermines the media’s ability to perform its function as a watchdog. This is important. INM publishes the Irish Independent, the Sunday Independent, the Evening Herald, the Sunday World and the Belfast Telegraph and has a 50% stake in the Daily Star. The Communicorp Group, which is owned by the same shareholder, controls Newstalk, Today FM, 98 FM, SPIN 1038 and SPIN South West, or approximately 20% of the entire market.

The legislation is clear on this and gives the Minister powers. The 2014 Act refers to “the undesirability of allowing any one undertaking to hold significant interests [which is defined as in excess of a 20% share] within a sector or across different sectors of media business in the State”. We cannot have a situation in which one or two individuals can control such large chunks of influence and power.

Deputy Brian Stanley: This is an opportunity-----
An Ceann Comhairle: The Minister to respond.

Deputy Brian Stanley: To conclude, the Minister has the power. He has outlined the three options that he has. I am asking for him-----

An Ceann Comhairle: Deputy, please. Your time is up.

Deputy Brian Stanley: -----to take option No. 1 and to rule against this merger.

An Ceann Comhairle: The Minister to respond, please.

Deputy Denis Naughten: I will make my decision as set out in the legislation and I am not going to take anyone else’s opinion other than the advice that I am given based on the assessments, including legal and statutory, as set out in respect of this matter. That is the approach that I am going to-----

Deputy Brian Stanley: Has the Minister taken the NUJ’s word on the matter on board?

Deputy Denis Naughten: The approach that I will be taking is on my website in black and white for people to read. Based on the advice that is presented to me, I will consider the three options that are open to me. I will take the most appropriate option in that regard based on the evidence that is presented to me.

I have had the opportunity to read Ms Boylan’s report. It is a pity that I did not have a copy of it in advance of the last time these questions were tabled.

National Broadband Plan

36. Deputy Timmy Dooley asked the Minister for Communications, Climate Action and Environment if the national broadband plan will bridge the digital divide outlined in the recent Switcher.ie report; and if he will make a statement on the matter. [38774/16]

Deputy Timmy Dooley: The Minister will be aware of the recent Switcher.ie report, which outlined the digital divide based on 27,000 broadband speed tests across Ireland. Will he respond to that report and what is his assessment of it?

Deputy Denis Naughten: The national broadband plan aims to deliver high-speed services to every city, town, village and individual premises in Ireland. A Programme for a Partnership Government commits to the delivery of the national broadband plan as a matter of priority. This is being achieved through private investment by commercial telecommunications companies and through a State intervention in areas where commercial investment has not been fully demonstrated.

The Deputy refers in his question to the Switcher.ie report, which points out wide disparities between the levels of service available in different parts of the country. The national broadband plan aims to address these disparities and provide quality connectivity for everyone in every part of Ireland regardless of where he or she lives or works.

My Department is now in a formal procurement process to identify the entity or entities to build, roll out, operate and deliver high-speed broadband to all premises within the intervention area. The three bidders in the procurement process have indicated that they are proposing a
predominantly fibre-to-the-home solution for rural Ireland under the national broadband plan intervention. Householders and businesses may potentially be able to avail of speeds of up to 1,000 Mbps, with businesses potentially availing of symmetrical upload and download speeds. This is a solution that will endure for 25 years and beyond. It will also effectively remove the digital divide.

A Programme for a Partnership Government commits to measures to assist in the roll-out of the network once a contract is awarded. In this regard, the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs, Deputy Humphreys, is leading the establishment of two regional action groups, working with local authorities, local enterprise offices and other relevant agencies to help accelerate the broadband network build in rural areas once the contract or contracts have been awarded.

In a further positive initiative, I established last July the mobile phone and broadband task force with the Minister, Deputy Humphreys, to address immediate issues relating to the quality of mobile phone and broadband coverage. I expect the task force to report in the coming weeks.

Deputy Timmy Dooley: The Minister will be aware from previous parliamentary replies that he has given to my party that the data show that nearly 50% of all homes and businesses in 12 counties may have to wait until 2022 to achieve the high-speed broadband set out in the Minister’s plan. That is dependent on whether the plan remains on its current track. Since the tender has not gone to the marketplace yet, it is difficult to see how even that date can be achieved.

In the constituency that I know best, the average speed stands at approximately 17.4 Mbps. That is paltry. Has the Minister conducted a further review of the documents that he intends to present to the marketplace and is he still sticking with the benchmark of 30 Mbps? Will he at least consider 100 Mbps as the minimum download speed for the national broadband plan?

Deputy Denis Naughten: The three consortia involved in the tender process have said that it is their intention to use the fibre-to-the-home solution predominantly. This will mean that homes and premises will receive up to 1,000 Mbps, well in advance of 30 Mbps. That is the challenge facing us with the national broadband plan and was one of the mistakes that was made, in that, at the time of the initial procurement process, the benchmark was set too low. There are clear caveats set out in the tender documentation which runs to 1,000 pages where it is clearly stated that as demand and average speeds in urban areas increase, the service in rural areas must keep in step with them. That is why, because of the way we have structured the tender process, the three consortia are looking at a predominantly fibre-to-the-home solution. We are not talking about 100 Mbps, 200 Mbps or even 300 or 400 Mbps but about up to 1,000 Mbps, should people require it.

Deputy Timmy Dooley: Am I to understand the tender documents will require speeds up to 1 GB or will it be a lower level, with the three consortia suggesting in the preliminary round of discussions that they would like to and will probably use fibre? At the end of the day the response will be based on the request for a proposal and unless the request for a proposal sets out that there is a requirement to use fibre, the Minister will have no way of ensuring or insisting on those who respond using fibre to all homes. Will the Minister confirm whether he intends to have the lower limit of 30 Mbps as the base requirement or if it will be increased to 100 Mbps, or if the tender documents will be silent on download speeds and require a fibre solution? I seek clarity for those who are waiting and forbearing, given the fact that it will be on the way at some stage.

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**Deputy Denis Naughten:** The fact is that there are services on the way for the vast majority of customers across the country in advance of the roll-out of the national broadband plan. That is why we are focusing immediately on implementation of the task force’s report on mobile phone and broadband services. We will publish the results in the next couple of weeks. The contract based on EU state aid rules must be technology neutral. We have to be cognisant of this, but the base requirement is that the technology used must be future proofed for the next 25 years. As the Deputy is aware, the European Commission has published its proposals for a 1 gigabit society. Because of this, the technology will have to be able to accommodate that speed in the future. At the end of the day what technology the companies propose is up to them, but they must comply with the requirement set down and because of this they are proposing a predominantly fibre-to-the-home solution.

### Mobile Telephony Services

37. **Deputy Michael Collins** asked the Minister for Communications, Climate Action and Environment the reason mobile phone coverage throughout west Cork has deteriorated in the past 12 months (details supplied); the reason this was allowed to happen; and the way in which phone companies can provide a service at this level in view of perceived evidence throughout the country of a collapse in service. [38864/16]

**Deputy Michael Collins:** Why has mobile phone coverage throughout west Cork and elsewhere in the country regressed in the past 12 months? Prior to the merger of the mobile service providers O2 and Three, figures show that they had a total of 3,180 masts. However, once the merger is fully complete by 2019 there will be a total of 2,300 masts, which implies a loss of 880. Mobile phone coverage, in west Cork in particular, is suffering because Three has cut the equivalent of 68% of its masts. ComReg is not intervening on the removal of 880 mobile masts, mainly in rural communities. I call on the Minister to ensure it will investigate the O2 and Three merger in terms of the effect it has had on mobile phone coverage.

**Deputy Denis Naughten:** If people are experiencing difficulty with mobile phone coverage, they should, please, first, go to the company involved and, second, to ComReg to express their frustration. That is vitally important. From talking to many Deputies and colleagues in west Cork and throughout the country, it appears that in areas where there had been excellent reception people are now experiencing decreased or non-existent mobile phone coverage. The recent merger between two mobile phone companies has led to a major mobile phone issue throughout the country. Similar to broadband, it is also rural communities that have been affected.

The management of radio spectrum is a function of the independent regulator for the telecommunications sector, the Commission for Communications Regulation, ComReg. Licences issued by ComReg impose terms and conditions on mobile network operators, including minimum population coverage obligations. ComReg monitors compliance in that regard by means of biannual drive tests. However, given its independence, I have no statutory function in the matter of auditing mobile coverage. I am critically aware of the frustration being experienced across Ireland, where mobile networks are not always delivering the services people expect. Any customer, including those in west Cork and its environs, who experiences service difficulties should raise the matter with the service provider in the first instance. If the service provider fails to resolve matters, customers can refer a complaint to ComReg which will investigate the
service provider’s compliance with its contractual obligations. I have passed on the details provided by the Deputy to ComReg for its attention. My Department is also following up directly with one of the operators in west Cork, where specific problems have been identified. I understand officials from my Department have been in direct contact with the Deputy.

Mobile network operators have invested significantly in rolling out improved services, following ComReg’s multi-band spectrum auction. At least one operator now has in excess of 90% 4G population coverage. The rate of demand for data services has, however, increased by 500% in the past four years and this presents a continuing challenge for mobile network operators, regulators and policy makers, both in Ireland and internationally.

Additional information not given on the floor of the House

Recognising this challenge, I specifically included in the programme for Government a commitment to a mobile phone and broadband task force. In July I established the task force, together with the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs, Deputy Heather Humphreys, which aims to unlock barriers to investment in mobile and broadband services. The terms of reference of the task force state it will identify and recommend practical actions that can be taken to improve mobile reception and broadband access. The task force has met approximately 20 times, with a number of helpful initiatives emerging in the areas of planning, local authority engagement and consumer information and engagement. The task force involves Departments and agencies, as well as engagement with ComReg and telecoms operators. I anticipate that we will bring a report later this month on foot of the work of the task force. The report will set out specific timelines for the delivery of its recommendations and actions.

Under the programme for Government, the Minister, Deputy Heather Humphreys, has also established two regional action groups to work with local authorities, local enterprise offices, Leader groups and other relevant agencies in helping to accelerate the roll-out of broadband and mobile services at local level. In addition, I recently signed regulations allowing ComReg to proceed with an early 2017 allocation of spectrum in the 3.6 GHz radio spectrum band. This will provide for an 86% increase in total spectrum available for mobile and fixed wireless services.

In my Department’s Estimates for 2017 I have secured €8 million for RTE to allow it to free up the 700 MHz spectrum band. ComReg will, in turn, make plans to allocate this spectrum to provide for significantly enhanced mobile coverage. The 700 MHz band is particularly suited to rural environments where the signal can travel long distances. These initiatives should assist in enhancing the quality of mobile phone and data services across Ireland, particularly in rural Ireland. In parallel, the national broadband plan aims to deliver high speed services to every city, town, village and individual premises in Ireland through private investment and a State intervention in areas where commercial investment has not been fully demonstrated.

The procurement process is under way and the three bidders have indicated that they are proposing a predominantly fibre-to-the-home solution in rural Ireland. Intensive dialogue with the bidders is ongoing, with a view to putting in place contracts that will deliver the NBP network and put Ireland to the forefront internationally in terms of connectivity.

Deputy Michael Collins: Mention was made of getting involved in discussions with the companies, but we have been trying to do this in recent months since the issue arose. Cover-
age was poor to start with, but it has got worse. The company does not seem to realise this. Every excuse is given to customers and elected representatives and we cannot seem to resolve the issue. In my area of west Cork, along the N71 and R586, the two main thoroughfares into west Cork, from Skibereen to Leap and into Clonakilty there is no mobile phone coverage. On the other side of the R586 in Dunmanway and into Ballineen the position is the same. It is not good enough in this day and age; we are back to levels in the Third World where countries have made far more progress than we have. One could ask why that is the case. Will the Minister intervene? There are too many rules and regulations. ComReg seems to have dictatorial rule over the country and the Minister must intervene on behalf of the people. I have confidence that he can do this because he is an excellent Minister in many fields. I would appreciate if he worked on the matter.

**Deputy Denis Naughten:** I have accepted the challenge the Deputy put to me. That is why, during the talks on the programme for Government, I proposed the establishment of a task force to deal with the problems with mobile phone coverage and wireless and mobile broadband services. The task force was established in July and will publish its recommendations in the coming weeks. However, I have not waited for it to publish its recommendations. We have been able to address some of the issues that have arisen in the interim as part of an ongoing process and will make announcements in the coming weeks in that regard. This is an ongoing process that will improve the quality of mobile phone coverage, improve 3G and 4G broadband coverage, as well as wireless broadband coverage. That is why in October I released the 3.6 GHz spectrum, which will allow for additional capacity on both mobile and wireless networks to improve the services available.

**Deputy Michael Collins:** Were politicians involved in the task force? It is important that they be involved. We had a meeting with the mobile phone companies perhaps six weeks ago in the AV room and I had never seen such anger – right across the country, not just west Cork - at any meeting I had attended since I was elected to Dáil Éireann. Politicians are getting it in the neck because the reception is getting worse, not better, and we are responsible for it. Under Irish telecoms law, mobile network operators are only required to cover between 70% and 80% of the country’s population and there is no legal requirement to cover rural areas. Under a 2014 agreement in the United Kingdom, all four mobile network operators collectively agreed to guarantee voice and text coverage across 90% of the geographical area of the United Kingdom by 2017. I urge the Minister to work with all the Irish mobile network operators to agree to a similar arrangement. Everybody has a right to the same service, regardless of where he or she lives.

**Deputy Denis Naughten:** Everybody has a right to the same service, no matter where he or she lives. That is why I ensured the task force would include representatives of rural communities across the country who were experiencing first hand problems with mobile phone coverage. I have raised concerns about Three coverage in west Cork and my Department has spoken on numerous occasions with Three about the issue. There appears to be a technical issue with one of the Three sites where there may be external interference causing disruption to the signal. However, the site is a secure site owned by a third party and Three is awaiting access to the site from the owner. Should the interference be confirmed, it is a matter that will be taken up with ComReg. I understand that engagement with ComReg has subsequently taken place. I have an information note about that which I will pass on to the Deputy. We are hopeful we can make progress, specifically in respect of the problem in west Cork. This is a problem across the country that I as Minister do not believe is acceptable with regard to existing coverage or
providing mobile phone coverage on a population basis rather than a geographic one. I hope to get the opportunity as Minister to change that.

**Media Mergers**

38. **Deputy Catherine Murphy** asked the Minister for Communications, Climate Action and Environment the steps that can be taken to address the anomaly whereby the significant interest test in the Consumer and Competition Authority Act 2014 has been exceeded by any person in the media sector; and if he will make a statement on the matter. [38856/16]

**Deputy Catherine Murphy:** This question has been prompted by a proposed acquisition involving Celtic Media Group. It concerns whether an anomaly in the legislation exists with regard to the significant interest test and the Competition and Consumer Protection 2014 in situations where the 20% market test has been exceeded.

**Deputy Denis Naughten:** The Competition and Consumer Protection Act 2014 gives the Minister for Communications, Climate Action and Environment the responsibility for assessing proposed media mergers and empowers the Minister to prevent any merger that is deemed likely to be contrary to the public interest in maintaining the plurality of media in the State. There is no retrospective element to this legislation. Attempting to intervene in the operation of a media business when no merger is planned would be difficult and, given that the purpose of the legislation is to safeguard media pluralism, is likely to be counter-productive.

Applying a retrospective element to the legislation could, effectively, mean empowering a Government Minister to interfere in the operation of any media organisation at any given time. This would raise a number of difficult questions about preserving the freedom and independence of the press even before one considers the legal and constitutional complexities associated with retrospective action of this kind.

In my view, the reforms introduced in the Competition and Consumer Protection Act 2014 have struck the correct balance in this area and are working well and, as a result, I am confident that we have a robust and effective set of measures in place to support and encourage a plural and diverse media.

**Deputy Catherine Murphy:** I would describe something as working well when it is really tested and this is one of the tests. It concerns the proposed acquisition of Celtic Media Group where there is already a difficulty relating to the existing degree of media plurality. Media must be judged across a range of platforms. It is an evolving sector but this does not seem to have been factored into the process. This case involves Independent News & Media, Communicorp and the digital platforms that go with that. The lack of media plurality is an unhealthy situation in a democracy. The very fact that there is no prospect of retrospective action means that at the very least, we should not make a bad situation worse. Will this be considered in the context of the decision the Minister must make and will he look at it as more than property rights? Will media plurality from the citizen’s perspective be the first item he will consider?

**Deputy Denis Naughten:** From the notification deadline on 24 November in respect of the proposed merger referenced by the Deputy, I have 30 working days to conduct a phase one assessment of the case. I will only make my assessment on media plurality guidelines. What I will consider in that context is set out on my Department’s website. I have not received the
report from my officials yet. When I do receive that report, I will read it and make the decision. I have three options. I can allow the merger to proceed, allow it to proceed with conditions or ask the Broadcasting Authority of Ireland to conduct a more in-depth examination of the proposed measure. I will comply to the letter of the law in respect of this, as I have done with the other media merger requests that have come before me.

**Deputy Catherine Murphy:** Will the Minister read into the record what the timeline is in the event that the Minister involves the Broadcasting Authority of Ireland? What timeline are we looking at? Will the fact that the 20% threshold has been reached and the fact that, should the Minister agree to this, there is no prospect of a retrospective decision enter into his consideration?

**Deputy Denis Naughten:** In respect of what I will and will not consider, I will consider everything that is appropriate for me to consider as set out in the 2014 Act and as set out on the Department’s website. I am not sure about the Broadcasting Authority of Ireland timeline because I have had a number of applications that I have had to consider up to now, none of which have been referred to the authority, but I will clarify that for the Deputy. I am not sure about the exact timeline within which the authority must report back to me but I will come back to the Deputy about that.

**Other Questions**

*Question No. 39 replied to with Written Answers.*

**Brexit Issues**

40. **Deputy Timmy Dooley** asked the Minister for Communications, Climate Action and Environment the immediate contingency steps he will take to safeguard security of energy supply here following the decision by UK voters to leave the EU in its recent referendum and if he will make a statement on the matter. [38596/16]

45. **Deputy Sean Sherlock** asked the Minister for Communications, Climate Action and Environment the engagement he has had with his counterparts in Northern Ireland, the United Kingdom and other EU countries on the impact of the vote by the United Kingdom to leave the EU. [38570/16]

**Deputy Timmy Dooley:** Will the Minister outline the immediate contingency steps he will take to safeguard the security of energy supply on the island following the decision by UK voters to leave the EU in its recent referendum?

**Deputy Denis Naughten:** I propose to take Question Nos. 40 and 45 together.

Substantial work has been and continues to be undertaken across Government to identify the key strategic, policy and operational risks following the outcome of the referendum on EU membership in the UK in June. A Cabinet committee chaired by An Taoiseach, of which I am a member, has been set up to consider all potential contingency planning issues arising for Ireland from the referendum result. My Department sits on a number of interdepartmental groups that ensure a whole-of-Government approach to this important matter.
Energy is a priority sector for the Government in considering the impacts of Brexit. The energy systems of Ireland and the UK are interdependent with a large amount of Ireland’s energy supply being imported from the UK and a single electricity market in operation across the island of Ireland. The key priorities for me are the continuation of the current Ireland-UK energy relationship, particularly with regard to secure trade of gas and oil and the continued operation and development of the single electricity market. There is excellent co-operation between the UK and Ireland on security of energy supply and all avenues will be pursued bilaterally with the EU and at EU level to ensure this remains the case.

As the House is no doubt aware, the EU has made the decision not to negotiate on any issues relating to Brexit until after Article 50 has been invoked. However, while attending meetings, such as the Energy Council, from which I have just returned, I seek out discussions with Ministers from other member states. Through these meetings, I raise awareness of how Ireland may be impacted by Brexit and what are our key concerns.

At the recent North-South Ministerial Council, I had a bilateral meeting with Simon Hamilton MLA, the Minister for the Economy in Northern Ireland, where we discussed energy issues relevant to both Ireland and Northern Ireland. My officials continue to work closely with their counterparts in Northern Ireland, the UK and other EU member states on energy matters.

**Deputy Timmy Dooley:** While the Single European Market is not under any serious threat as a result of Brexit, the integrated single European project likely is. As of now the SEM is undergoing significant upgrades in order to comply with the EU regulations the Minister has identified. Obviously, Britain’s departure could seriously jeopardise this project and it is unclear whether the UK will receive EU funding to aid this transition. It is also unclear as to whether this will remain an attractive option for the UK following its departure. It throws our participation in that into jeopardy. It would be important for the Minister to engage with the various stakeholders at the earliest opportunity in order to give some confidence to that sector. The concerns transcend just the price concerns. Currently Ireland relies on EU regulatory measures to address shocks in the supply of oil and gas. If the UK energy market became independent of the EU, Ireland would lose access to a portion of its 90-day emergency reserve that is stored in the UK.

**Deputy Denis Naughten:** There is huge connectivity in energy supply on both islands. About 50% of all the oil we consume and all of the natural gas last year came from the UK. We have the single electricity market. My priority and that of my Department is to ensure the continuation of trade in secure supplies of energy with the UK. In that context at yesterday’s European Transport, Telecommunications and Energy Council I raised the issue of gas supply. At the moment we are looking at issues such as regional co-operation - the region we have is between Ireland and the UK. We are very conscious that the UK may be outside our region. We believe that there should be flexibility such that that region remains intact.

We are exploring other options, including the Celtic interconnector. President Hollande was in Ireland recently and an agreement was signed between Réseau de Transport d’Électricité, RTE, in France and EirGrid here about developing that project. We are considering the possibility of an LNG terminal in Shannon so that we are not dependent on all our energy supplies coming from one source.
41. Deputy Paul Murphy asked the Minister for Communications, Climate Action and Environment if he received an invitation to the United Nations climate change conference in Marrakesh in the second week of November 2016. [36040/16]

Deputy Paul Murphy: I understand the Minister attended the climate change conference in Marrakesh, COP 22. I ask him for a report of what happened there. I understand afterwards the Minister promised to set out a roadmap to transition to a low-carbon economy. I ask him to outline how that will happen.

Deputy Denis Naughten: The United Nations Framework Convention on Climate Change held its 21st Conference of the Parties, COP 21, in Paris from 30 November to 12 December 2015. Ireland was represented in Paris by the Taoiseach and the Minister for Environment, Community and Local Government. The Minister for Communications, Energy and Natural Resources and other relevant Ministers and Ministers of State also attended. The major outcome of COP 21 was the agreement by over 180 countries to restrict the impact of emissions on global warming and to limit the temperature rise to 2°C Celsius above pre-industrial levels, with an ambition of 1.5°C Celsius. This will be done through a range of climate action plans known as nationally determined contributions which will tackle 95% of the world’s emissions.

The 22nd Conference of the Parties, COP 22, took place in Marrakesh from 7 to 18 November 2016 and marked the entry into force of the Paris Agreement. The conference, as with all conferences of the parties, included a high level segment with appropriate attendance by relevant Ministers. In this regard, I received an invitation from the Moroccan hosts and along with a delegation representing Ireland’s key Departments and agencies involved in climate change, I attended the second week of COP 22 and reaffirmed Ireland’s commitment to combat climate change during the high level segment.

COP 22 represented a further expression of the global ambition to tackle climate change, with the focus shifting to the implementation of the Paris Agreement. Consensus was reached on the establishment of a rules-based system which will turn the Paris Agreement into a fully operational agreement by 2018. Global agreement was also reached on a number of significant financial issues at COP 22, including increasing the predictability of climate finance and the publication of the roadmap to the 2020 global commitment to provide $100 billion of climate finance funding annually. Agreement was also reached on the major funding mechanisms of the Paris Agreement and on the significance of adaptation finance.

Ireland ratified the Paris Agreement on 4 November and will contribute to its goals through the nationally determined commitment submitted by the European Union and its member states, which targets an overall EU reduction of at least 40% in greenhouse gas emissions by 2030 compared with 1990 levels.

Deputy Paul Murphy: This is the No. 1 crisis of humanity. It threatens our planet and all of our people. Some 150,000 people die every year linked to climate change. What will be different this time? Last year the Taoiseach went to Paris and told the world Ireland was committed to addressing climate change. He said, “I hope that we are serious about putting in place a legally binding agreement on climate change that will underpin our actions”. Hours later he was quoted as saying that the targets were unrealistic, saying that Ireland had a bad recession and could not meet those targets without harming agriculture and that Ireland would look for
wriggle-room on targets before sending people to negotiate with the EU to lower the targets.

Given that scientists now say we will definitively pass the 1.5° Celsius mark and are heading towards 2° Celsius, which literally has fatal consequences for large numbers of people, will Ireland be more ambitious than previously indicated by the Taoiseach?

**Deputy Denis Naughten:** We will present our transition statement to the House on Thursday and to the Seanad tomorrow. I hope to publish the draft mitigation plan within the next couple of weeks, following Cabinet approval. That will set out a draft of the actions to be taken by the Department. I look forward to Deputy Paul Murphy’s input to that.

He is right: this is the single biggest challenge we all have. The big focus will need to be on not only 2050 and the need to reduce carbon with effectively a zero-carbon economy by then, but we also have bigger challenges in the short term regarding things such as black carbon, HFCs, hydrofluorocarbons and methane. There are a number of aspects to that. Not just in the area of agriculture and black carbon, but diesel engines are a particular problem for us. These are complex issues that the mitigation plan will address.

**Deputy Paul Murphy:** For many of us it is horrifying that the world’s most important political post is about to be held by a climate-change denier, Donald Trump, who has threatened to pull out of the Paris Agreement, pull out of the UN Framework on Climate Change, and has promised to increase fossil fuel production and as part of that drive, fracking.

Did the Minister have discussions with any US representatives at the conference or since? Fine words are all very good, but Irish agriculture is due to increase its emissions by 6% to 7% by 2020 and transport emissions are set to climb by between 10% and 16% over that period. So the key elements in avoiding further emissions coming from Ireland particularly at a time when a global consensus at least that climate change exists and is manmade, are breaking down despite all the scientific evidence.

**Deputy Denis Naughten:** The issue of the incoming US President, Donald Trump, was on everybody’s lips in Marrakesh. I discussed it with American representatives - I discussed it with the head of the US EPA, who is effectively the Minister and the high representative from the United States. The Secretary of State, John Kerry, was also there, but I did not get the opportunity to speak to him. I spoke to representatives of the European Commission about it. I know the European Commission is actively engaged on the issue and is providing the type of leadership necessary particularly now that it is not coming from the US. It is a little disingenuous - I do not mean of Deputy Paul Murphy - to say all of the debate has been focused on agriculture; it should also be focused on transport and my Department must take some of the responsibility also. In fairness, the agricultural and farming community saw the devastation caused by flooding this time last year. It appreciates that things need to change and is making progress in that regard, but progress will be slow. The one word of caution I would sound is that many countries in the developing world are looking very closely at what is happening in agriculture in Ireland and New Zealand, in particular, because they have a waiver in agriculture until post-2030. If we get it wrong in agriculture, they will not sign up to the 2040 targets. It is imperative that we bring as many people and countries as possible with us. We must provide leadership; show that we can be responsible in agriculture and that we can reduce emissions, as well as improve production. There is an opportunity to provide leadership for the world. Ireland’s representatives had a multilateral meeting with representatives of Uruguay, Argentina and New Zealand to see how we could share our technology and research to provide the type of
leadership needed in this area.

Renewable Energy Feed in Tariff Scheme

42. **Deputy Timmy Dooley** asked the Minister for Communications, Climate Action and Environment when he will introduce a renewable energy feed in tariff, REFIT, scheme for PV solar and offshore wind energy production; and if he will make a statement on the matter. [38595/16]

**(Deputy Denis Naughten):** The programme for Government contains a commitment to further decrease Ireland’s dependence on imported fossil fuels through the use of indigenous renewable energy resources. This commitment builds on the 2015 energy White Paper which recognised the long-term strategic importance of diversifying Ireland’s energy generation portfolio. With this in mind, my Department is working on the development of a new renewable electricity support scheme, RESS. As part of this process, a range of renewable energy technologies will be being assessed, including solar photovoltaics, PV, and offshore wind power technology. It is widely recognised that solar PV technology is becoming cost competitive for electricity generation, not only compared with other renewables but also with conventional forms of generation. It also brings a number of benefits such as relatively quick construction and a range of deployment options, including solar roof-mounted PV and utility-scale solar PV technology.

Ireland’s potentially has one of the best offshore renewable energy resources in the world. Offshore wind projects have been used effectively in other EU member states and can yield a higher relative energy output than onshore wind projects. While the affordability of offshore wind projects has improved in recent years, it remains an expensive option. The most up-to-date installation costs for offshore wind projects will be examined as part of the renewable electricity support scheme development process. This work will help to inform a final decision on whether offshore wind projects are currently a cost-effective option for deployment in Ireland.

The findings of the first technology review public consultation process on a new renewable support scheme were published in 2015 and following the completion of detailed economic analysis of the viability and cost effectiveness of supporting a range of renewable technologies, the findings of a second public consultation process will be published in early 2017. Details of the next public consultation process will be advertised on my Department’s website. Before any new scheme is introduced, it will need to secure Government approval and state aid clearance from the European Commission. The new support scheme for renewable electricity is expected to become available in late 2017.

**Deputy Timmy Dooley:** With respect to the Minister, I believe 2017 is too late. We have already dealt with the difficulties Ireland is experiencing in meeting its targets. As the Minister knows well, the scheme is unavailable in the case of many of the new important technologies in the generation of solar and offshore wind power. That makes Ireland one of the outliers among its European peers. Homeowners in other jurisdictions are able to make money from solar panels using feed-in tariffs. On a larger scale, the REFIT tariffs can expedite the adaption of technology by providing an added incentive for investors. I fail to understand the reason for the delays in the light of the fact that we have known about the necessity to have feed-in tariffs if we are to advance in line with the growth in technologies. It is well recognised that the cost of solar panels has reduced very significantly. We need to look at other options for offshore wind
projects because of the difficulties in addressing planning matters. It is very clear that there is no immediate strategy to address the opportunities provided and all the while we are moving towards 2020. Ireland will not be in a position to meet its targets and we will have to pay fines on the other side.

**Deputy Denis Naughten:** The immediate priority for me is the renewable heat incentive scheme because it can help us to reach our 2020 targets. It is expected that we will pretty much meet our renewable electricity targets for 2020 based on what is already in the pipeline. The Deputy and his colleagues have been very critical of me in the past because of the cost of the public service obligation, PSO, levy. In approving the new technologies, be they offshore wind, solar or other technologies, the funds will come from consumers’ pockets. We must be conscious of this. The difficulty is that there are enough applications within the system for solar photovoltaics; if every other power generation plant and wind turbine in the State was switched off on a sunny day in winter, not only would we have enough electricity to meet our needs in Ireland, we could also export it. Irish consumers are the ones who would have to pay the subsidy which would be about treble the subsidy currently payable for wind generated electricity. I need to try to get the balance right and that is what I am trying to do.

**Deputy Timmy Dooley:** I accept that there are plenty of opportunities and that at some point a qualitative approach must be taken to what is and is not used. Obviously, that will ultimately be dictated by how one sets the tariff or how the support mechanism is set. It is my understanding there are about ten wind farm projects that are held up, accounting for about 200 MW of electricity across the State if the existing REFIT scheme was addressed for onshore wind projects. Of course, the other technologies are exploratory. They are important, but they are going to be costly. However, the Minister is going to have to begin the process of looking at offshore wind projects and solar power and the sooner that happens, the better. It would be acceptable if he put some cap on it. Nobody is suggesting the entire stock in electricity generation be moved from one source to another. There needs to be a mix. It was always recognised in all of the strategic documents that there was a need for a blended mix of resources in order that we would develop the technology and, in so doing, bring down the cost of the generation of electricity. As the Minister knows, in the early stages wind power generation was a lot more costly than it is now. More efficient turbines are now on the market. I again ask that he give consideration to bringing forward the REFIT scheme in a much more timely manner and, obviously, introduce some capacity constraints.

**Deputy Denis Naughten:** It is my intention to bring forward the scheme as quickly as I can, but my immediate priority is the renewable heat incentive scheme. We have not been sitting on our laurels. We have been engaged with the Commission on solar costs and it has indicated that import levies on solar panels are likely to be lifted. One of the first things I did as Minister was to sign the North Sea agreement with all of the countries involved, including the United Kingdom, in order that we could share knowledge and technology in the roll-out of offshore wind projects. It is becoming more cost effective, but there are still challenges. There is no doubt, however, that there are huge opportunities in using wind, tidal and wave power off Ireland’s coast. We must remember that our territorial waters are ten times the size of the landmass of the island of Ireland. There is massive potential. I am trying to ensure we can encourage and support the development and roll-out of these technologies and do not place an excessive burden on consumers. At the European Council yesterday I raised the issue of how we might support micro-generation because consumers not only have the opportunity to meet their own needs but also to actually export to the grid excess energy and electricity supplies they generate.
43. **Deputy Mick Barry** asked the Minister for Communications, Climate Action and Environment his views on media plurality, given the recent acquisitions of a number of radio stations by international media corporations; and if he will make a statement on the matter. [38592/16]

**Deputy Mick Barry:** What are the Minister’s views on media plurality, given the recent acquisitions of a number of radio stations by international media corporations? Will he make a statement on the matter?

**Deputy Denis Naughten:** I assume the Deputy is referring to the recent media merger which involved the purchase of a number of radio stations. Having received my Department’s assessment, I determined on 22 September this merger was not contrary to the public interest in maintaining the plurality of media in the State. Details of the media merger regime, including the associated statutory guidelines, are available on my Department’s website. This assessment process is based upon the Competition and Consumer Protection Act 2014, which gives the Minister for Communications, Climate Action and Environment the responsibility for assessing proposed media mergers, and empowers the Minister to prevent any merger that is deemed likely to be contrary to the public interest in maintaining the plurality of media in the State.

An important part of the current regime is the requirement on the Broadcasting Authority of Ireland, BAI, to prepare, every three years, a report on the ownership and control arrangements of media businesses in Ireland. In June of this year, I published the first such report, the Report on Ownership and Control of Media Businesses in Ireland 2012-2014. In this report, which is available on my Department’s website, the BAI concludes that there has not been a material reduction in media plurality in the State due to the limited changes in ownership and control in the period 2012-2014.

Furthermore, the international expert group, Sustainable Governance Indicators, ranked Ireland nine out of ten in media freedom and eight out of ten in media pluralism, noting that Irish media is independent, with a pluralist ownership structure.

In my view, the Competition and Consumer Protection Act 2014 strikes the correct balance in this area and is working well and, as a result, I am confident that we have a robust and effective set of measures in place to support and encourage a plural and diverse media.

**Deputy Mick Barry:** The question is focused on the purchase of a number of radio stations by News Corp, Rupert Murdoch’s company. It purchased Wireless Group, which owns radio stations FM104, Q102, LFMFM, Cork’s 96 FM, C103, Live 95FM and U105.8FM Belfast. These stations have a 14% share of listenership. This adds to News Corp’s media ownership and a lack of diversity and plurality because the same company also owns The Times, The Sunday Times, The Sun and the online company Storyful, apart altogether from BSkyB and Fox. I notice a report by Roderick Fleming from DCU, as part of a recent report by the European University Institute, put Ireland in the high risk category, at 74%, with regard to the concentration of media ownership, and at medium risk of 50% with regard to concentration of cross-media ownership. Will the Minister comment on this?
Deputy Denis Naughten: I thank Deputy Barry. There have been a number of reports on media plurality. The one hitting the headlines at present is that by Lynn Boylan, MEP. I was asked earlier by Deputy Stanley whether I had read it and I have. It raises issues on the media mergers process, but I must stress the report itself did not form part of the assessment process with regard to merger cases which have been or are under consideration. The assessment criteria for media mergers is laid out clearly in legislation and statutory guidelines. I have considered all the media mergers in exact compliance with the legislation and guidelines set out and I have not deviated one iota from these with regard to any of the media mergers I have considered to date or any media mergers I will consider in future. Retrospection was debated in the House when the 2014 legislation went through and it is about getting a balance. Deputy Boyd Barrett was in the House during that debate. It is about trying to strike a balance, which is what we are trying to do.

Deputy Mick Barry: Speaking of striking a balance, let us throw a few more statistics into the discussion. Denis O’Brien’s operation owns a 29% stake in Independent News and Media. It has 100% control of Communicorp. This includes titles such as The Independent, the Irish Independent, the Sunday Independent, the Evening Herald and 13 local titles. It has a 45% share of national newspapers. On top of that, it also has radio stations including Today FM, Newstalk, Spin 1038 and Spin South West. It has 21% of listeners but probably more than 21% of the news agenda because of Newstalk being part of the operation. The Broadcasting Authority of Ireland, which reports to the Minister, carried out a report on ownership in Ireland from 2012 to 2014. It recommended that anything above a 20% share in a media company was too much and allowed the individual to exert influence over content and management appointments. Throughout Europe there are laws which limit how much of the media any one company or person can own. Will the Minister introduce legislation such as this which will apply retrospectively?

Deputy Denis Naughten: Retrospection is an issue flagged in the report published by Lynn Boylan, MEP. The report in itself recognises it is an extremely difficult area with regard to property rights, market effects, procedural fairness and freedom of expression considerations. This was the caveat put on retrospection. During the passage of the Competition and Consumer Protection Act in 2014 the introduction of retrospection regarding media ownership was debated. The decision was made that on balance it would not be right or proper to consider it. The threshold issue was raised during the Committee Stage debate, but setting a specific threshold can be fraught with risk. The only responsibility I have in this regard is to look at media plurality, and when I receive the report from my officials I will consider it in the context of the statutory obligations I have as set out in legislation and guidelines. I will look at this purely from the point of media plurality.

National Broadband Plan

44. Deputy Timmy Dooley asked the Minister for Communications, Climate Action and Environment the process he will use to appoint members to the selection committee for the tendering process of the national broadband plan. [38597/16]

Deputy Timmy Dooley: Will the Minister outline the methodology he will use to appoint members to the selection committee for the tendering process of the national broadband plan? Will he advise the House of such?
The national broadband plan represents a significant capital investment project for the State and aims to deliver high speed services to every city, town, village and individual premises in Ireland. The Programme for Partnership Government commits to the delivery of the national broadband plan as a matter of priority. The Government’s intervention strategy is available on my Department’s website and sets out detailed service specifications, including a requirement that the State-funded network must be capable of delivering high quality, high speed broadband.

My Department is now in a formal procurement process to select a company or companies which will roll out the new high speed broadband network to more than 750,000 premises in Ireland, covering 100,000 km of road network and 96% of the land mass of Ireland. Intensive dialogue with bidders is continuing, and the three remaining bidders have indicated they propose a predominantly fibre to the home solution.

The procurement process is now well under way, with in excess of 250 hours of dialogue completed with the three bidders and more than 2,000 pages of contract documentation exchanged. This process aims to tease out all of the detailed proposals with a view to ensuring that the final contract or contracts are fit for purpose and fully deliver on the Government’s high level objective of a truly open access, wholesale network that delivers quality affordable services to all premises in the intervention area, regardless of how remote these premises are and meets their needs for in excess of 25 years.

After the initial dialogue is concluded, the bidders will be asked to submit draft proposals for consideration and further dialogue. When this process is complete a formal tender will issue. I assure the Deputy that the procurement process is being intensively managed by my Department to ensure an outcome that delivers a future-proofed network that serves homes and businesses across Ireland for at least 25 years. My Department’s national broadband plan team is supported by external consultants providing additional support in the area of procurement, as well as legal, financial and technical expertise. It would not be appropriate for me to comment further publicly on the evaluation process at this time.

Deputy Timmy Dooley: Maybe the Minister did not fully understand what I was asking him. It is not about anything other than ensuring an independent process that has no potential, in the future, to be tainted or to be something about which questions could be raised. I am asking him to provide the House with the strategy to ensure that the outcome of the process will not be open to question by any of the unsuccessful bidders. He will know that this was a feature of various State contracts in the past, though I will not get into specifics on them. Is it his intention to put an evaluation board together with international expertise? How might he compile such a board to review the tenders?

The Minister has given me a clear picture of what the national broadband strategy hopes to achieve and I welcome that. He has also told me about the discussions that have taken place but at some point a group of people will have to make a decision to pick one or two of the three consortia. Therein lies the potential for problems and the House needs to know how the Minister intends to ensure that the panel is above and beyond reproach and not open to question from any particular party.

Deputy Denis Naughten: They have already taken decisions. There were originally six consortia and now there are three. They are completely at arm’s length from the Department and we are sensitive to the issues. We are conscious of the potential for legal challenge and
we are particularly sensitive to the issue based on the experience of previous procurement processes.

I do not think I have, as of yet, publicly declared the three companies and there was a delay because of the sensitivities involved. At every stage of this process all the implications are fully considered before any public comments are made. I am happy to facilitate the Deputy if he wants to talk to the assistant secretary heading this process so that it can be outlined to him. We are trying to be as careful as possible to ensure that it is not just transparent but whiter than white. We are in regular contact with the European Commission on the matter as well.

Deputy Timmy Dooley: I may take the Minister up on that offer in due course. It is important, from the point of view of public perception, to ensure transparency at the earliest possible opportunity. I understand the necessity to retain certain information on account of commercial sensitivity but that is not necessary in setting out the process and giving information about what kind of expertise will be appointed. I am not suggesting that the Minister or his Department would do anything other than what is appropriate but if some of the mystery is taken out of the process in the early stages it prevents a head of steam being built up. We do not want a Fatima-style approach in which there is a sense of mystery where there is none. In most other countries the people and the processes are set out very clearly.

I accept that there is a potential for legal challenges but the public must be able to have confidence and I ask the Minister to reconsider. If I get the opportunity to meet the assistant secretary I will make those points without expecting him or her to provide any proprietary information. It is about ensuring that the process is not just above and beyond reproach but is seen to be. Doing this may be of benefit in any further legal challenge.

Deputy Denis Naughten: I take the Deputy’s point and accept the genuine concerns he has on the issue. Since I became Minister I have been threatened twice, if not three times, with legal action in regard to the national broadband plan so I will be extremely careful about what I put on the public record. I am happy to facilitate the meeting for the Deputy as there is absolutely nothing to hide. I am completely aloof as to that aspect of the process and that is deliberate, with a view to ensuring that there cannot be any accusation of influence. I advise the Deputy to talk directly to the people involved who will be able to advise him as to why I have not given the detail he requested.

Question No. 45 answered with Question No. 40.

National Broadband Plan

46. Deputy Bobby Aylward asked the Minister for Communications, Climate Action and Environment the measures being taken within his Department to ensure equality in the roll-out of broadband services for rural areas, rural communities and regional towns under the national broadband plan; and if he will make a statement on the matter. [38310/16]

Deputy Bobby Aylward: I ask the Minister for Communications, Climate Action and Environment the measures being taken within his Department to ensure equality in the roll-out of broadband services for rural areas, rural communities and regional towns under the national broadband plan.
(Deputy Denis Naughten): The national broadband plan aims to deliver high-speed services to every city, town, village and individual premises in Ireland. The programme for Government commits to the delivery of the national broadband plan as a matter of priority. This is being achieved through private investment by commercial telecommunications companies, at a rate of some €1.4 million per day, and through State intervention in areas where commercial investment has not been fully demonstrated.

The Department is now in a formal procurement process to select a company or companies who will roll out a new high-speed broadband network to over 750,000 premises in Ireland, covering 100,000 km of road network and 96% of the land area of Ireland.

The programme for Government also commits to measures to assist in the roll-out of the national broadband plan State intervention network once a contract is awarded. In this regard, the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs, Deputy Heather Humphreys, is leading on the establishment of two regional action groups working with local authorities, local enterprise offices and other relevant agencies to unlock barriers to investment in mobile and broadband services. Since July, there has been significant progress made in discussions with the key stakeholders, including local authority management representation, Government Departments and State agencies, as well as interaction with ComReg and telecoms operators.

The Minister for Arts, Heritage, Regional, Rural and Gaeltacht and I also established a mobile phone and broadband task force in July 2016. The task force will recommend practical actions that can be taken in the short term to improve mobile phone and broadband access in Ireland. The work of the task force will also assist local authorities in preparing for the roll-out of the new national broadband network once the contract or contracts are in place. I expect that the Minister for Arts, Heritage, Regional, Rural and Gaeltacht Affairs and I will bring the report of the task force to Government in the coming weeks.

I am satisfied that the combination of initiatives to improve wireless services and the procurement process to deliver a new high-speed broadband network under the national broadband plan will put Ireland to the forefront internationally in terms of connectivity, and ensure that high-speed broadband services are universally available across the country.

Deputy Bobby Aylward: I thank the Minister for his response and acknowledge that he has taken on a very difficult brief with the best of intentions since the Taoiseach announced his appointment in May last. However, I remain gravely concerned that the need for prioritisation of broadband roll-out for rural areas is being severely underestimated within the Government’s national broadband plan. Many rural and regional towns are being forced to endure unacceptably substandard broadband services as a result of the current digital divide.

The recently released switcher report revealed that certain parts of rural Ireland have broadband speeds 36 times slower than speeds in our capital. It is simply not acceptable that homeowners and business owners in areas such as Clonmore in Carlow are being forced to accept speeds averaging 5.58 Mbps, while just 70 km up the N81 in Drimnagh, Dublin, they are among the fastest in the country at 72.15 Mbps.

This example points to serious inequality in the distribution of broadband under the national broadband plan and highlights the urgent need for equality of access for homes and businesses in rural Ireland. Unfortunately, this is not an isolated incident. Research by Vodafone Ireland in November found that one third of rural businesses would consider moving their premises to
Deputy Denis Naughten: The Deputy is fully correct and this is my challenge as Minister. I am taking a number of actions. I am assisting the likes of eir, SIRO, Vodafone and Virgin with the roll-out of their networks and we have addressed a number of physical blockages to it. We have released the 3.6 GHz spectrum and it will be auctioned early in the new year. This will assist the likes of Imagine and other wireless operators to improve the coverage and services they provide in rural Ireland. We will publish the details of the mobile phone and broadband task force within the next couple of weeks. This will deal with the roll-out of 4G and 3G broadband. I am engaged in trying to use the capacity within the metropolitan area networks to try to release them and improve the quality of broadband in the towns where the network is in place. I am engaged with some of the commercial companies to see how we can fast-track the roll-out of their networks in rural areas. The final piece in the jigsaw is the national broadband plan. We are determined to pursue it and roll the network out as quickly as we can as soon as the contracts are signed.

Deputy Bobby Aylward: The word is equilibrium and it is equality. I agree that fibre broadband is the way to go, if we can get fibre broadband to every household. However, as a rural Deputy I know it will not be possible. With all the Minister’s grand plans and whenever he rolls out broadband over the next number of years, it will not reach rural areas. While it might get into the populated areas, the towns and villages, he will not get it up to small lanes three, four or five miles outside these areas which I represent. There are small, rural areas all over Ireland. We are not talking only about Carlow-Kilkenny. We must consider wireless connection, given that fibre will not reach every house. We must consider both fibre and wireless services. Otherwise, people will be left behind and those in rural Ireland will not get the service they need. We are trying to keep rural Ireland alive and keep the country going. Rural Ireland must play its part in the country.

Deputy Denis Naughten: I can imagine where the Deputy is coming from. The commercial companies are rolling out fibre broadband in rural areas across the country. It can be done.

Deputy Bobby Aylward: To reach every household?

Deputy Denis Naughten: The three consortia involved in the national broadband plan are saying that for the vast majority of homes they will provide fibre to the door. The European Commission is talking about 1,000 Mbps going to homes across the country. We cannot do that with wireless technology at the moment. Wireless can meet our short-term need and that is why I am supporting wireless. I have met with all the wireless operators and I have actively encouraged them. They have raised a number of bottlenecks in the system which I am addressing. This is why I am releasing the 3.6 GHz spectrum, specifically to allow the wireless networks to roll it out pending the roll-out of the national broadband plan.

People will not need up to 1,000 Mbps in rural areas in the next five or ten years, but they may need it in 15 years. Deputy Eugene Murphy will acknowledge that the most rural constituency in the country, bar none, is Roscommon-Galway. I know, because I am getting it in the neck first hand about the problems there. I am determined to ensure this network is rolled out in every single constituency and county together. Nobody will be first and nobody will be last. Everybody will get access to a high-speed network, no matter how isolated they are.
47. Deputy Richard Boyd Barrett asked the Minister for Communications, Climate Action and Environment the person or bodies overseeing wind farm development across the country; and if he will make a statement on the matter. [38629/16]

Deputy Richard Boyd Barrett: Despite frequent rhetorical commitments by the Government to reduce carbon dioxide emissions, the 2015 report on emissions by the Environmental Protection Agency was damning. It showed that overall, emissions were increasing by 3.7% and that emissions have increased under every single major heading including agriculture, industry, transport, the energy industries and manufacturing. Does this not suggest that the huge emphasis that has been put on industrial wind as a way of developing renewable energy and reducing carbon dioxide emissions is a serious failure and a waste of money? Who, exactly, is looking at it? Given the huge investment in industrial wind and its centrality to our renewable energy plans, who exactly is in charge of wind and ensuring it is reducing carbon dioxide emissions?

(Deputy Denis Naughten): The energy White Paper presents a long-term strategic vision that is intended to guide the direction of Irish energy policy from now until 2030. At its heart is a commitment to transform Ireland into a low-carbon society and economy by 2050 and reduce the country’s fossil fuel dependency. The programme for partnership Government also commits to reducing our import dependency while maintaining energy security and affordability, and reducing energy related emissions. The development of renewable energy in Ireland via a range of technology specific supports is one of the best ways to encourage this transition and diversify our energy generation portfolio. This is why my Department introduced a renewable energy feed-in tariff, REFIT, scheme across a range of different renewable electricity technologies, including onshore wind, hydro generation and bioenergy. A new renewable electricity support scheme which is currently under development will seek to further diversify this technology mix.

While my Department provides the high-level strategic direction and policy supports to encourage renewable energy development, a number of separate agencies and bodies have a role in the promotion and development of renewable energy projects in Ireland. For example, the development of any renewable project, including wind, requires planning permission from the relevant local planning authority or An Bord Pleanála, as appropriate. Planning permission is a matter between the developer of a renewable project and the relevant planning authority, subject to the planning Acts. Under section 7 of the Planning and Development Act, each planning authority must maintain a detailed register of all planning applications and decisions made. An Bord Pleanála also maintains a register of cases determined by the board, which is available at www.pleanala.ie.

A renewable energy project also requires an authorisation to construct or reconstruct a generating station and a licence to generate from the Commission for Energy Regulation. Applications for authorisations and licences are assessed by the CER ahead of the granting or refusing of an application for planning permission. The conditions imposed by the Regulator must be met by the generator, and compliance is monitored by the CER on an ongoing basis. EirGrid and ESB Networks have a role to ensure that projects can connect to the electricity network and that the renewable energy project can be operated securely on the network for the benefit of all consumers.
Dáil Éireann

The legally separate but interrelated regulatory, planning and operational decisions that are needed to realise a renewable energy project in Ireland requires the involvement of the agencies I have outlined.

Deputy Richard Boyd Barrett: The litany of different people responsible for different aspects suggests to me that nobody is in charge of the overall plan regarding wind energy. This is the problem. My starting point is deep scepticism about industrial wind and the emphasis we are putting on it regarding reducing carbon dioxide emissions, which are not decreasing but increasing. We produce 22% of our electricity from wind and 80% of our renewable electricity is due to come from wind. Wind energy producers are getting approximately 80% of public service obligation funding. That is a lot of money, put up by the public. The Minister can confirm the figures. Who is deciding where the money, which is being paid by ordinary people and which does not seem to be delivering results, is going? Where is the overall strategic environmental assessment of the wind energy plan? Where is the cost-benefit analysis as to whether industrial wind is the way to go? I am deeply sceptical that it is the way to go. Many people say its net impact on reducing CO2 emissions is negligible and that we should be looking in different areas to develop more efficient forms of renewable energy that are better for the environment as well as looking at public transport, insulation, etc.

Deputy Denis Naughten: First, it is not 80%. I do not have the figures to hand but I will get them for the Deputy. We have a number of peat-fired power stations that also avail of supports. It is something that is as close to the heart of Acting Chairman, Deputy Eugene Murphy, as it is to mine. A transition is taking place to biomass there also. On the point Deputy Boyd Barrett makes on CO2 emissions, there are two important reasons to move to renewable energy. One is the need to address emissions and meet our climate targets, but the other is energy security. That is as, if not more, important, in particular in the current climate in regard to the changes in political geography of some of our nearest neighbours. They are issues I have to be conscious of as Minister with responsibility for energy as well as the issues I am responsible for as Minister with responsibility for climate. Coming back to the core point the Deputy makes about whether we are going in the right direction, it is a debate I have had with my officials in the Department. We are asking if we have the right suite of options. While we are proceeding with the renewable heat incentive scheme, we are also going to determine what renewable energy sources we should be looking into 2025 and 2030. We are now going to carry out a review of the current renewable energy policy.

If we achieve our 2020 targets on renewable electricity, and it is likely that we will, we will have 75% of our electricity at peak wind production coming from wind, which is a variable energy source. It is known now as “the Irish problem” and to go beyond that is very difficult from a technical point of view. All these issues must be considered in that context.

Deputy Richard Boyd Barrett: That is exactly the point. It is an intermittent source which still requires us to have other sources. There are serious questions. Wind Aware Ireland, of which, excuse the pun, the Minister will be aware, suggests that, at best, wind can only impact approximately 3% or 4% of our emissions. Nevertheless, a massive proportion of the public money going into renewables is going into this area which seems to be having a negligible effect on CO2 emissions while serious questions arise in regard to the cost-benefit analysis of industrial wind as against a greater emphasis on insulation, passive house standards, free or heavily subsidised public transport to get people to use the system, afforestation, solar and all sorts of other areas. A focus on those areas would have a far bigger impact in terms of both energy security and reducing CO2 emissions, which we are not doing terribly well on.
Deputy Denis Naughten: I find it interesting that the Deputy is making the argument he is. I do not disagree with it because my focus as Minister at the moment is on deep retro-fits of homes. That is why we have €100 million to focus on that in 2017, to deal with energy efficiency and to consider the suite of energy technologies that are there. I got grief earlier on from Deputy Dooley for not going down the electricity generation route. What I am trying to do is to strike a fair balance in regard to the suite of options available to us. Deputy Boyd Barrett is right that there is significant progress we can make on energy efficiency, which is my focus. I am in Tallaght later this week to speak on that very issue, which is important.

The strategic environmental assessment is the reason we have to delay the publication of the revised wind energy regulations. We have to go through the new strategic environmental assessment. I am not sure about the 3% or 4% statistic the Deputy cited in regard to wind but I note that as part of the DS3 programme, it will be possible to improve the carbon efficiency of wind. Hopefully, we will see other options in regard to the storage of wind-generated electricity.

Written Answers are published on the Oireachtas website.

Topical Issue Debate

Land Acquisition

Deputy Thomas Byrne: I am grateful for the opportunity to raise this important issue. It is one I raised previously when I was a Member of the Seanad and, indeed, it has been raised by many members of the local authority in County Meath, including by my colleague, Councillor Sean Smith. It is an issue related to the continuation of the good relations the community has with the Department of Education and Skills in Ashbourne. It is fair to say that while not everything is perfect in regard to schooling in Ashbourne, there have been significant improvements. Many buildings have gone up and schools are pretty happy with them. As a result, a substantial 16 acres of land in the ownership of the Department of Education and Skills is now available on either side of a main road in Ashbourne. Local authority members, including my colleague, Councillor Smith, and organisations such as the Ashbourne Playspace Network would love to see the land come into local ownership. It is already in public ownership, but they would have to see it come into local ownership to form part of what is called the “linear park” for Ashbourne. This land would be a significant amount of land for a park.

Ashbourne is a town with a population of approximately 11,000 at the time of the last census and, obviously, there are surrounding areas too. The town has no public park and limited green space. It is a burning desire of the people, as Deputy McEntee will also know, to have their own park. This issue goes back over many years to flawed development plans which did not provide enough parkland. While improvements are being made and there is currently a Part 8 planning application in regard to a linear park in Ashbourne, the land the Department of Education and Skills owns would be a significant addition and would improve the town no end. It would contribute to national objectives on healthier living, getting together with friends, exercising dogs and doing things people should be able to enjoy. I am sure that if the Department wants the schools to have a special role on the land, there would be no objection. That is a matter for another day.
Shortly after I raised the matter in the Seanad a year and a half ago, the Department met the local authority and an evaluation report was carried out. I understand that talks have taken place between the local authority and the Department of Education and Skills, which is welcome and encouraging. While I am happy with that, we would like to see some finality on this. It is within the gift of the Department for this to happen and I would love to see an imaginative arrangement to ensure that it goes ahead and that a park is available for the town which, in every other respect, is a fantastic place to live. A few years ago, it was given the Retail Excellence Ireland award for fourth-best town for shopping in Ireland. In fairness, there has been a huge investment in the cycle lanes and schools in Ashbourne. By and large, it is a pretty good place to live and we are just trying to tidy up some pretty important aspects of it, including the provision of a park. Everybody will work together on it. I would be delighted to hear the Minister of State’s response on what is a net issue yet one which would have significant benefits and good consequences for the public if there were final movement on it.

Minister of State at the Department of Education and Skills (Deputy John Halligan):

Meath County Council has plans to develop a linear park in Ashbourne. The development of a portion of land alongside the Broadmeadow River, which is in the ownership of the Minister for Education and Skills, is incorporated in the plans for the park. The land is part of two portions of land in Ashbourne acquired by my Department to meet school accommodation requirements in the town. One of these portions was acquired for the purpose of providing school accommodation for Coláiste De Lacy, Gaelscoil na Mí and Ashbourne Educate Together national school. The second portion, adjacent to the new campus, was acquired to facilitate access to the permanent site and to provide temporary accommodation for the post-primary school during construction.

Permanent accommodation for all three schools has now been provided on the campus site. Construction of the first phase of Coláiste De Lacy is complete and the school is in operation. A design team is working on phase 2, which will increase capacity to 1,000 pupils. Construction is also complete on a new permanent 16-classroom building for Gaelscoil na Mí and a new permanent 16-classroom building for Ashbourne Educate Together national school. Some of the lands in the Minister’s ownership or that of the Department adjacent to the new Ashbourne school campus will be surplus to the requirements of the Department. They include lands incorporated into Meath County Council’s plan for the development of the linear park. My Department is considering the future use and disposal of the surplus land. Any such disposal would be conducted in accordance with Department of Public Expenditure and Reform Circulars 11, 15 and 17 of 2016.

On the transfer and disposal of State assets, officials in Meath County Council previously made my Department aware of the proposal for the linear park in Ashbourne and meetings were held to discuss the development. There has been ongoing positive and constructive engagement between officials of my Department and Meath County Council in that regard. Officials of the Department met senior officials in Meath County Council within the past month to determine how best to progress matters, with a view to facilitating the linear park. At that meeting it was agreed that my Department would work closely with officials in Meath County Council and keep them apprised of developments.

As an alternative to direct purchase by Meath County Council of the lands at market value, officials of my Department are exploring possible mechanisms to facilitate the mutual objectives of the delivery of the linear park and the achievement of value for money for the Exchequer. My officials will engage further with officials of Meath County Council as the matter
It will be sorted out within a relatively short period following the completion of the ongoing negotiations. The development of the schools and community amenities is at the heart of sustainable community development. Officials of my Department will continue to engage with officials in Meath County Council to advance the matter.

**Deputy Thomas Byrne:** I thank the Minister of State for what he has said and the positive and constructive approach the Department has taken which I noted in my initial contribution. He believes the matter will be sorted out and has said the Department is examining various mechanisms to ensure we can have a linear park. I also understand the Department’s concerns about ensuring value for money from its point of view. It is encouraging that the issue is being examined closely. The Department can see not only its responsibilities in terms of the value of the land but also its wider responsibilities to the community in meeting the needs of the town of Ashbourne where many people will be extremely pleased about this, given the work they have done. Many voluntary groups, in particular those involving young mothers, have worked very hard to try to advance the project. They have pushed politicians to highlight the matter to ensure the project will be delivered. As I said, Councillor Sean Smith and others have paid particular attention to it. We will take the response in a positive manner and allow negotiations to continue. I appreciate that negotiations on land are sensitive. We cannot jump up and down in the Dáil about every last detail and I will not do so. I will take the news of a positive approach home with me and share it with those in my constituency. They will be very happy and patient in allowing the process to play out, knowing that the Department and Meath County Council will continue their engagement which, up to now, has been constructive. We will await further developments.

**Deputy John Halligan:** There are two sites involved, sites A and B, the owners of one of which went into receivership. There is a road through the land. People might ask why the Department will not transfer lands needed for the linear park to Meath County Council for a nominal sum. As the Deputy knows, the land was acquired for a considerable sum of money and the Department is, therefore, seeking to ensure the moneys paid for the surplus land can be recouped in full in facilitating the progression of the linear park project within a short timeframe. The Department has told me the mechanisms that can be used to facilitate the linear park project, while also ensuring the Exchequer will obtain the best value for money. They are being explored. As I said, based on my information and given the ongoing discussions and so on, I am hopeful some conclusion can be reached by the Department and Meath County Council within a short period.

**Home Care Packages Provision**

**Deputy Eugene Murphy:** I thank the Minister of State, Deputy Helen McEntee, for coming to the House to answer my issue.

In an ideal world most of us would like to think that, when the time comes, we would have the means to care for ageing family members who, if given the choice, would prefer to remain in their own home rather than be placed in a hospital or nursing home. There is a crisis in the provision of home care packages across the country. Hours and packages have been cruelly cut for those in society who are most vulnerable. I refer to my constituency, Roscommon-Galway, where I hear about this problem in every clinic. Rather than knock the Government, I will provide the Minister of State with some examples and I am sure she will see exactly from where I
I was approached recently by a family in my constituency clinic. They are caring at home for their mother who is terminally ill with cancer. They asked for more hours as her condition had worsened. We asked for a review of the case to gain more hours to help the family. When the review took place, despite desperately needing the hours already allocated, the family actually lost some of them.

I am aware of another sad case. A wife is looking after her husband who needs two people with him at all times owing to his very serious condition. She and her daughter lovingly provide 24-hour care for their loved one. They had been allocated a carer for four hours on a Wednesday in order that one of them could go shopping, collect a pension payment and prescriptions and carry out other jobs in the local town. These hours are no longer available to the family who have been left without help or a respite care service.

The figures may indicate that there has been an increase in the number of hours available in some areas - that may be the case - but I assure the Minister of State that the number of families who are looking for an allocation of hours has increased dramatically owing to overcrowding in hospitals and the cost of nursing home care. In most cases, as has been proved beyond doubt, families want to look after a person in the comfort of his or her own home. This saves the State a significant amount of money in the long term. However, the way families and patients seeking home care packages are being treated is a disgrace. I cannot see the logic in removing home care hours from families who are trying to do their best for their loved ones. The lack of hours is causing further congestion in hospitals and means that vital beds are being taken up by patients who could be cared for in their homes if there was a comprehensive home care package in place when leaving hospital. It does not make sense that the number of home care packages is being cut and hours are not being allocated to other families in desperate need of help in caring for their loved ones. As the Minister of State knows, there is a problem with overcrowding in hospitals. One very quick and ideal solution would be to extend the number of home care packages available and provide support for families to look after their loved ones in the comfort of their own homes.

I recently became aware of another case in which a wife, a full-time carer for her husband, had become extremely ill. She had a stroke and has been in intensive care in hospital for a number of weeks. I was amazed to hear that the HSE services operating in the area only allocated one hour to enable somebody to look after a very sick man, even though his wife had been caring for him full-time. The system does not make sense. I plead with the Minister of State to take on board what I am saying and offer some hope and comfort to many genuine people who are in very serious difficulties because of the cutbacks.

Minister of State at the Department of Health (Deputy Helen McEntee): I thank the Deputy for raising an issue which is raised continually in the House because of its importance. We know that it is one that needs to be addressed.

We all share the same common objective, namely, improving the quality of life for older people. It is not just older people who need support and services; people who are sick or those with disabilities also need help. The funding available for services for older people stands at almost €740 million this year. It is used to provide a range of services across the community and is focused on ensuring older people have timely access to and are provided with appropriate care and treatment at the lowest level of complexity and as close to home as possible. Home
care services are critical in supporting older people to remain in their homes and communities and maintain their independence for as long as possible, which is better for them. As we know, they are happier when they are in their own home. It also makes sense, as the Deputy has pointed out, to avoid admissions to acute hospitals. Further, many people can be supported at home at a far lower cost than that of residential care. We also know that home care services need to be put in place where residential care is not possible as well.

The HSE’s national service plan for 2016 originally provided for a target of 10.4 million home help hours to support about 47,800 people. It provided for 15,450 home care packages and approximately 130 intensive home care packages for clients with complex needs. A further 60 clients with dementia will be supported with co-funding from Atlantic Philanthropies under the national dementia strategy. This matched levels of provision in 2015. However, and I know the Deputy understands this, services are being stretched by demands from more people with the number increasing weekly and for more hours in the evenings and at weekends, all of which unfortunately cost more. This means that even maintaining services at last year’s level would have resulted in service delivery failure this year, which is why we responded by providing an extra €40 million.

While we are saying it is an additional €40 million, it does not necessarily mean there will be additional services and supports. It is to maintain last year’s level. This brings the overall budget for home help and home care packages to approximately €339 million, which is not enough, but our A Programme for a Partnership Government commits to increasing that funding year on year. With that funding, the HSE will now provide an additional or extra 133,000 home help hours and 350 home care packages this year. In addition the HSE’s winter initiative plan provides for an extra 950 home care packages with 50 packages coming on stream each week over the winter initiative period.

Community Health Organisation 2, which includes Roscommon, Galway and Mayo, is prioritising home care services to those who are currently in a hospital or in a community hospital step down facility. The HSE is providing a significant level of service for the area and it is projected that the HSE will deliver 1,193 home care packages and about 1.32 million home help hours by the end of the year. I will try to get more of an update in the coming weeks, but last week there were six people registered as requiring home care services waiting to be discharged within Community Health Organisation 2. The applications for all six are being processed by HSE community services at this time.

It is important to emphasise that management currently has a difficulty in that it has to be prudent with resources as demand for the service increases, but it will continue to work to apply available resources to target those with the greatest need most effectively. I do not like to hear that home help hours are being taken away from those who need them. While we most certainly have a difficulty with allocating additional hours as a result of the increase in demand, I do not agree with taking away hours and supports from people who clearly need them and who have been availing of them until now. Without going into the detail now, perhaps we could examine the particular cases raised by the Deputy.

There is no doubt that the resources available for home care are less than we need to meet demand and, for that reason, the programme for Government commits to increasing this year on year. The additional funding this year is €40 million. I hope to increase that further next year.

Deputy Eugene Murphy: Gabhaim mo bhuíochas leis an Aire Stáit for what was quite a
detailed response. I know she speaks from the heart when she speaks on the issue. She is correct in terms of what she noted in the last 30 seconds of her time on the taking away of hours from people. I spoke of neighbours down the road whose families I know so well and whose hours are being taken away. The multidisciplinary teams make decisions on the number of hours families are entitled to but after four, five or six months, when someone is very ill, there seems to be a higher authority that is deciding to take away three, four or five of the hours.

A few things need to be done. Home care should be a statutory entitlement and not a discretionary one, although I know this all comes down to funding. Second, phase 2 of the carers’ strategy needs to be properly funded and resourced and I am sure the Minister of State agrees. The next problem is that HIQA is closing down facilities but not replacing them with other facilities. If a nursing home is closed down in an area and it is not replaced, this will cause problems. Families, as a result, are not able to get respite for their loved ones, which is causing another problem because it is causing an awful lot of stress for family carers. I also wish to mention long-term care for adults with disabilities who have been cared for at home for most of their lives by their loved ones. Parents move on but their one worry is who will look after their child who has a disability. No facilities are available for those families. We must address that issue. Finally, the home care package is offering only 30 minutes to families, which is not sufficient to carry out safe care. The Minister of State knows that it takes a lot longer to do things when dealing with older people and people with disabilities. The amount of time being offered is very limited. I ask the Minister of State to take those points on board.

Deputy Helen McEntee: I am most certainly taking everything on board. The Deputy will appreciate that, because it is not demand-led, home care is very much confined to the funding available, which is not enough. On the implementation of a statutory scheme, we need to review the management, operation and funding of home care, which is currently under way. During the course of the year, the Health Research Board was asked to conduct research into how home care is rolled out, the model used and its funding in comparable jurisdictions such as Scotland, Germany and Denmark. A pre-review was given to the Department in the past two weeks or so and we hope that it will be finalised by the end of the year. The review will influence where we go with this and we hope to get working on it early next year. The nursing home support scheme took up on seven years to put together. Obviously, we are not looking at such a timeframe, but a much shorter one. However, this is an extremely complex issue and one that we need to get right.

In the meantime, what is most important is that those who need supports and services receive them. The promise is to increase funding year on year. While being prudent with our resources, we need to ensure we are working with people and not taking away supports from those who already have them. We also need to look outside the Department of Health, something the Department is currently doing. For instance, with the national positive ageing strategy we are not just looking at help and home help hours but at supports such as transport supports that we can provide within the community. All these things help people stay within their homes for longer and give them a better quality of life. This way, they may not need additional home help or supports. The next stage of the national positive ageing strategy will begin early in the new year and will involve engagement from across the board, including community organisations, and not just the Departments. I hope to update the Dáil shortly on the matter.
Deputy Dessie Ellis: I am raising the need for a primary health care centre in Finglas, especially in north Finglas, and the commitment that was given to locate one in the area. The population of Finglas and Dublin north west is increasing but the north Finglas area also has a higher percentage of older people than the national average, which is why a primary health care centre is essential.

The programme for Government committed to the delivery of enhanced primary health care centres in every community throughout the country and it was announced that funding was secured for 80 primary care centres. One of those centres was to be in north Finglas. This decision was made following surveys by the HSE on the population make-up, age profile, community needs and transport services in the area. The area was rightly identified as one of high priority that had a considerable need for the benefits brought by a primary care health centre. General practitioners had also committed to working with the HSE and other services.

As the Minister of State is aware, a number of sites were considered and one was chosen. Unfortunately, although Dublin City Council granted planning permission, this was overturned by An Bord Pleanála. It still baffles me how this happened. Be that as it may, that was two years ago, but currently there is the possibility of new sites in the north Finglas area. These would be more than suitable and would ideally suit a project as important as this one. Will the Minister of State provide a firm commitment that money and resources will be committed to this case and that efforts to secure the right site will not be hindered?

Pressure should be taken off local hospitals such as that in Blanchardstown and the Mater Hospital.

6 o’clock

These hospitals are under constant pressure from dealing with minor injuries and providing social care services.

The primary health care centre in Ballymun has proved invaluable and has close links with local acute hospitals. This makes it easier for general practitioners to care for patients in the evenings and at weekends. Magnificent work is being done by staff, general practitioners and everyone else involved in the Ballymun primary care centre, which is widely praised in the community. We need to deliver services locally for this reason and it is time we got the Finglas project back on track.

North Finglas has been neglected for many years. The area has not had a general practitioner for as long as I can remember, which is a long time. This shows how serious the problem is in the area. Services are needed but the mistakes of the past must be avoided in terms of consultations with residents. The Minister must ensure residents are consulted and we do not get into the mess we ended up with in respect of the previous site.

I have been in contact with the Health Service Executive and I raised with it the potential to use a number of sites as a location for a primary care centre. I hope the Minister will put his shoulder to the wheel and apply more pressure to the HSE because it is essential that the Finglas area is provided with a primary care service. There is considerable anger in the community arising from the loss of the opportunity to have such a service two years ago. I hope this will not happen again. Let us discuss the issue with the HSE and get back on track.
Minister of State at the Department of Health (Deputy Marcella Corcoran Kennedy):

I thank Deputy Ellis for raising this important matter and fully understand his frustration. The Minister has asked me to convey his apologies as he has been unavoidably detained elsewhere this evening.

The programme for a partnership Government commits to a decisive shift towards primary care so that we can provide better care close to home for communities nationwide. Primary care centres facilitate the shift from acute care to primary care because of the range of multidisciplinary services they can provide and the role they can play in keeping people who do not need to be in an acute setting out of hospital.

The development of primary care centres to accommodate primary care teams and, where possible, general practitioners is a key enabler for the delivery of primary care services. The nature and range of the services provided from a primary care centre may vary and such facilities can, and often do, fulfil other public functions too.

I advise the Deputy that 97 primary care centres are already operational, of which 54 have been opened since 2011. There are 40 locations at which primary care infrastructure is under construction or at an advanced planning stage under three different methods of delivery. Of these, 12 are by direct build, 14 are by public private partnership and a further 14 by operational lease. A further 43 locations are at an early planning stage. The mechanism and timescale for delivery of primary care centres are dependent on a number of factors. Delivery of primary care infrastructure is a dynamic process, constantly evolving to take account of changing circumstances, including the feasibility of implementation.

Regardless of delivery mechanism, all potential primary care infrastructure is subject to suitable locations being offered, provided or available, subject to successful planning processes and GP commitment to sharing accommodation and delivering health care services with HSE staff. In addition, the operational lease mechanism is subject to market pressures such as the developer’s access to adequate financing. Some of these factors are outside the control of the Health Service Executive.

In February 2015, An Bord Pleanála took the unexpected decision not to grant planning permission for the Finglas primary care centres on the Mellowes Road site following an appeal by local residents of permission which had previously been granted by Dublin City Council. I am advised that HSE estates, in conjunction with the local primary care service team, are reviewing several alternative sites for a new primary care centre in Finglas. The HSE has advised that it is at the initial stages of contact with agents representing the landowners of the sites to determine the viability of purchasing them and is conducting internal risk assessments with respect to local sensitivities with planning permission due to previous decisions.

Developments in the Finglas area include the HSE refurbishment of the Ballygall health centre on Seamus Ennis Road, which has resulted in the doubling of clinic rooms available in the centre. Improvement works to the Wellmount health centre on Wellmount Road has provided three additional rooms in the centre.

Finglas remains a priority for the Department and the HSE as one of the communities considered most in need of access to primary care services. Subject to successful negotiation, this project will be prioritised again in future capital plans. I assure the Deputy that the Department and Health Service Executive are fully committed to delivering a primary care service in the
Deputy Dessie Ellis: I had hoped the Minister of State would give a much stronger commitment on the provision of a primary care centre in Finglas. While the work to bring two other health care centres in the area up to a better standard has been very welcome, the area is still missing large chunks of health services. The provision of a primary health care centre would solve many of the current problems by filling gaps in services, for example, by dealing with minor injuries, mental health issues and care for senior citizens.

It is essential that the mistakes made two years ago are not repeated. The HSE must engage in consultations and find out what will be the problems. I am glad HSE staff are examining this matter to ensure we do not run into similar problems. Having spoken to the HSE, I am aware that several sites are being considered. However, I would have liked the Minister of State to have made a clear and unequivocal statement that money is available to acquire a site and deliver a primary health care centre. People in the community fear that the outcome in respect of the previous proposal will mean Finglas will lose the opportunity to have a primary care centre. If a site becomes available, will funding be provided and the project advanced as a matter of urgency? It is crucial that this is done because the service is essential.

Having been in the Ballymun health centre, I know what primary care centres deliver. The way in which the Ballymun centre is managed and operated is fabulous. Similar services have been delivered elsewhere in the country. I want the Minister of State to provide a commitment on funding and construction for a primary care centre in Finglas.

Deputy Marcella Corcoran Kennedy: It is unfortunate that the decision by An Bord Pleanála caused a difficulty in the Finglas area. The HSE recently submitted its capital plan for 2017 and this is being reviewed by the Department. The plan requires the approval of the Minister for Health and the consent of the Minister for Public Expenditure and Reform. I wish I could give the Deputy an indication of what is in the capital plan but I have not seen it. I reiterate the commitment made by the Department and the HSE on delivering a primary care centre in Finglas.

EU Issues

Deputy Paul Murphy: It has been a very bad year for the political establishment in Europe. Former Prime Minister, David Cameron, is gone as a result of the impact of the result of the referendum on Brexit. President François Hollande will be gone as a result of his unpopularity as he is unable to stand even for the primary of the Parti Socialiste in France. Now, Prime Minister Renzi, the fresh-faced figure who was supposed to moderate austerity on behalf of all of us in Europe, is also gone, having been humiliated in the Italian referendum, in which his proposal was defeated by a vote of almost 60% against.

The Irish Government and every other European government would be loth to put any question to a referendum at this time for fear that people would take the opportunity to reject the political establishment. In advance of the referendum, various media outlets informed us of what was at stake. For example, The Independent in Britain featured the headline, “Italy goes to the polls in vote that could destabilise Europe”. Another headline read, “The most dangerous moment for Europe since Brexit”, featuring the caption, “Everything will change”. Following the result, the Taoiseach informed the House that the European Union could deal with the out-
come of the Italian referendum. The Minister for Foreign Affairs and Trade said he does not see any comparison between this and Brexit and that this was not about the EU or the euro, which is a deliberate understatement of what this is about. The Government is attempting to hide and gloss over the fact that two major crises are exposed by the tremendous result in Italy yesterday. First, the political crisis of the establishment of Europe has not gone away but is deepening and Europe does not have respect or support among large sections of the population across Europe and, second, the banking crisis has not gone away. It was shoved slightly under the carpet in terms of some of the responses a number of years ago to the eurozone crisis and there was a failure to deal with the fundamental problems in the banking sector that are linked to problems in the real economy, as seen in Italy.

There has been an attempt, generally, to paint opposition to the EU austerity project as populism of the right, xenophobia, etc. That is also happening in terms of the Italian referendum and the attempts to point to this being related to the right populists of the Northern League, racists and so on. Any analysis of the vote shows that is not the case. Those who were opposed include right populists but the dominant forces were the left of the democratic party, left-wing political parties, left-wing trade unionists, such as the CGIL, and young people. Some 81% of those aged 18 years to 35 years, the low-paid and people from the poorer south rejected the policies pursued by former Prime Minister Renzi, which were anti-worker, anti-popular policies such as the labour reform law, the counter-reform in education and the rejection of the centralisation of power attempting to ride on a wave of anti-political populism.

There is a lesson here for the political establishment in the European Union. It was summed up in an article in The Financial Times by Wolfgang Münchau as the Marie Antoinette moment for Europe’s elite. These people are unwilling to see the reality of what is happening and the extent of the disillusionment with Europe’s political and economic system and respond with something that is akin to “let them eat cake”, for which it will pay the price again and again. There is a significant left force building that can instead transform the Europe that we have and fight for a very different type of Europe, a socialist one that works in the interests of the millions.

Minister of State at the Department of Foreign Affairs and Trade (Deputy Joe McHugh): Gabhaim mo bhuíochas leis an Leas-Cheann Comhairle fá choinne an tseans labhairt fá dtaobh den reifreann san Iodáil agus ráiteas a dhéanamh air don Teach. I am pleased to have this opportunity to make a short statement to the House on the recent referendum in Italy. Italy is a leading member of the European Union. It is a founder member and the third largest economy in the eurozone. Italy and Ireland enjoy excellent relations, including a strong economic and trade relationship and this will continue. We have worked closely with outgoing Prime Minister Matteo Renzi over the past few years bilaterally and within the European Union and we wish him every success for the future.

The Italians went to the polls on Sunday, 4 December, to vote on proposals for constitutional reform, proposed by Mr. Renzi. By a majority of 59% to 41% the referendum was defeated. Mr. Renzi resigned but will remain on as Prime Minister at the request of President Mattarella until Italy’s 2017 budget is approved by Parliament. What happens then is a matter for the President who will have to decide whether to put a caretaker government in place or to call a general election. The Italian political system will inevitably need some time to take stock and agree a way forward.

Under the current system, there are two Chambers of Parliament with directly elected law-
makers, the Chamber of Deputies and the Senate. Both Chambers have equal power and must agree on legislation before it is passed. Under the reforms proposed by Mr Renzi, the Senate would have lost most of its powers. The number of Senators would have been reduced from 315 to 100 and the remaining Senators would no longer have been elected directly. Under the proposals, most laws could have been passed by the Chamber of Deputies - the lower house - alone. However, the upper house would have had to be consulted on major issues such as other constitutional reforms and the ratification of EU treaties.

I note positively that following the referendum result the euro remains broadly stable and there has been a relatively muted market reaction to the result. It is, of course, important that we continue to monitor events closely in the aftermath of this result. As the Minister for Finance stated yesterday, there are no contagion effects from the Italian banking system to the Irish banking system. It is important to note that this referendum was about internal constitutional reform in Italy and not about support for the European Union. In this sense, it is entirely different from the UK referendum in June. The only political parties which took an explicitly anti-EU line during the campaign, and after the results, have no more than 15% of the vote. The 59% of “No” voters will certainly have included people who are pro-European but just did not support the proposed constitutional reforms, such as the former Prime Minister and EU Commissioner, Mario Monti.

As the Taoiseach said yesterday, it is important to note that the parties opposed to the referendum, such as the Northern League, the Five Star movement and Forza Italia, did not agree with each other on a range of other issues. We are well aware in this country that referendums can have surprising results, often not fully connected to the stated objective of the vote. There is no doubt that in many western democracies there is a lack of faith in political and other institutions. This is not by any means confined to the EU, but it very much recognises the need to respond and this is the subject of ongoing debate at the highest levels. However, I agree with the Taoiseach’s remarks yesterday expressing confidence that the EU is big enough and strong enough to deal with the fallout from the referendum result.

Italy is a country of immense creativity and resilience and I have every confidence that its political leaders will deal with the current situation.

Deputy Paul Murphy: I have zero confidence that the political establishment across Europe will learn any of the lessons from this. As stated by Wolfgang Münchau:

Some revolutions could have been avoided if the old guard had only refrained from provocation. There is no proof of a “let them eat cake” incident. But this is the kind of thing Marie Antoinette could have said. It rings true. The Bourbons were hard to beat as the quintessential out-of-touch establishment. They have competition now.

This is what we have seen and are going to see again and again. If people choose to interpret the referendum result in an extremely narrow way then they are missing the process that is happening. I would draw a distinction between the defeat of FPO candidate, Mr. Hofer, in Austria, which shows that the outrage does not have to lead to the rise of the radical right, and the defeat of this referendum in Italy. To say that there is no problem in this regard in terms of knock-on effects to the banking system is to ignore what is happening and the dangers arising therefrom. The term “La Sofferenza” which means “the suffering” is used in regard to non-performing loans. Some 18% of loans from Italian banks are non-performing loans, which is primarily linked to the bad performance of the Italian economy and the weakness of the small
and medium enterprise sector in particular. The amount of non-performing loans increased from €42 billion to €170 billion from 2008 to 2014 and since then has risen to €360 billion. At the centre of this is the Banca Monte dei Paschi di Siena, which has to raise €5 billion this week in capitalisation. The result of this referendum has created a huge crisis. Not only is the Banco Monte dei Paschi di Siena under threat, so, too, are Unicredito and Banco Popolare. If they go under or if there is a bail-in - all these things are possible in Italy - it will have a massive impact on Ireland owing to the weakness of the Irish banking system, as evidenced from its performance in the latest Frankfurt stress tests. The banking crisis has not gone away and neither has the economic crisis. The political crisis has intensified and the Italian referendum result will re-expose all those things.

**Deputy Joe McHugh**: It is important that we avail of this House to have these conversations. In regard to referenda, we all have anecdotal examples of why people vote in particular ways, from which we can draw our own conclusions. Following the children’s referendum when I asked a man why he had voted “No”, he responded that he had done so because the “No” option was on the ballot paper, which shows his vote had nothing to do with the children’s referendum.

In terms of the Italian referendum result, whether or not there will be a general election in Italy is a matter for the Italian President. We need to look at what is happening outside of the European Union. We live in a world in which 65 million people are displaced, of which 9 million are from Chad in sub-Saharan Africa. Some 25% of all the refugees in Italy come from Eritrea. There is fear over what the future will hold. People think about the next generation and struggle with the question as to what the world will be like in 20 or 30 years. The population of Africa is to double in 20 years, from 1.2 billion to 2.5 billion. This will have a knock-on effect at European level.

A major conversation is needed but I guard against the politics of fear. There is a lot of fear, as expressed in many referendum campaigns over the years. We need a big conversation on demographic trends, population increases and projections for the future. Kenya, for example, will produce 1 million extra people for the workplace each year. This is but one country in the Continent of Africa. We have to be conscious of these demographic trends but we must also allow the space in which to have these conversations in this House because Ireland has an important role to play.

**Health (Miscellaneous Provisions) Bill 2016: Order for Report Stage**

**Minister of State at the Department of Health (Deputy Marcella Corcoran Kennedy)**: I move: “That Report Stage be taken now.”

Question put and agreed to.

**Health (Miscellaneous Provisions) Bill 2016: Report and Final Stages**

**Deputy Clare Daly**: I move amendment No. 1:

In page 8, between lines 1 and 2, to insert the following:
“(c) and by the insertion of the following paragraph:

“3. In the case of any emergency hormonal contraception included on the Reimbursement List that is normally available without prescription, there shall be no requirement that a prescription be presented in order for patients to be reimbursed under the General Medicines Services Scheme (‘GMS’), and the procedure for recording and documenting the service provided and for claiming reimbursement of the fee and ingredient cost shall be as for all medicines dispensed under Community Drugs Schemes.”.”

This concerns an issue I highlighted on Second Stage. The amendment was moved by me through Deputy Billy Kelleher on Committee Stage. I thank the Socialist Party for tabling it for Report Stage. I admit it is not the most elegant of amendments. It is not the best in terms of wording but the reason it is so worded is to highlight the importance of the issue. I acknowledge the input and dialogue of the Minister for Health, Deputy Simon Harris, behind the scenes over recent weeks in trying to advance this issue through telephone conversations and e-mails. That is very much appreciated. It is a good way of doing business.

We know section 9 allows for emergency contraception without prescription to be reimbursed by the HSE but not for women who are on a medical card. Women with medical cards will still need to go to the doctor to get a prescription for a non-prescription drug. It is unacceptable that this type of two-tier system would continue to prevail. Throughout the debates, the Minister made many points about addressing the issue. In fairness, a lot of work has taken place in recent weeks to try to unlock this problem.

The reason I retabled the amendment is that the Irish Pharmacy Union, IPU, gave the Department a proposal to make the morning after pill available without prescription to women on medical cards in June 2015. That was more than a year and a half ago. That we are only beginning to discuss it and that there was no discussion whatsoever with the IPU since it made its proposal is why we are discussing this on Report Stage. The morning after pill became available through pharmacies without prescription in 2011, not today or yesterday. The pill is critically time-dependent. It is 95% effective if taken within the first 24 hours of unprotected sex, with its effectiveness falling dramatically the longer time goes on. We know from the National Association of General Practitioners that there is an average waiting time for a GP appointment of 34 hours. In essence, a woman with a medical card will not be able to gain access to the pill within the 24-hour window, as indicated by best practice. That is what the amendment is trying to address.

On Second Stage, certain Deputies stated one could go into a pharmacy and pay for the pill if they were that bothered about it. The fact that the morning after pill can cost between €30 and €35 is an issue. This is a huge amount of money for somebody on social welfare. In that context it does not present an opportunity for her. The flu vaccine, for example, has been available to medical card holders without prescription and pharmacists have had a system for claiming back the costs of this since 2011. Why can it not be done in this case?

The IPU has stated the administrative hurdles are not onerous. The proof of the pudding is that the required system is already operated for the flu vaccine. Emergency contraception should be freely available over the counter to all women rather than from behind the counter, as is the case at present. It can be costly for private patients. None the less, the IPU pointed out over 18 months ago that the scheme could be implemented easily and quickly from a profes-
There is no further training required. The procedure in place for recording and claiming the reimbursement of fees could be the same as for other medicines dispensed under the community drugs scheme.

I have two questions for the Minister of State. The IPU proposed that pharmacists receive a fee over and above the standard dispensing fee for providing the proposed service. It suggested one in line with that for the flu vaccine of about €15. I do not know whether that is a fair price but I do know that it is substantially less than the cost of a visit to a general practitioner. Can we be assured that cost and negotiations are not a reason for stalling? Have there been any discussions with the IPU? There have been discussions with the HSE and I am anxious that there be a discussion with the IPU. The Minister seemed to suggest in dialogue outside the Chamber that this proposal is deliverable in 2017. On that basis and in recognition of what I acknowledge has been a lot of work behind the scenes, I will not press the amendment.

Deputy Mick Barry: I support the amendment. This could and should be introduced in 2017. The purpose of the amendment is to ensure that women with medical cards will be able to obtain emergency contraception without presenting a prescription. In April 2015, the pharmacists passed a motion at their annual conference calling on the HSE to make the morning-after pill available to women with medical cards directly from the pharmacy free of charge. It was reported at the time in the.journal.ie that pharmacists claimed that making women with medical cards attend their doctor for a prescription in order to obtain the pill free of charge was farcical, discriminatory and unacceptable.

As Deputy Daly pointed out, the average waiting time for a GP appointment has trebled in five years, to 34 hours in 2015. It is even longer for GMS doctors in low-income areas, where there are fewer doctors and there tend to be longer waiting times. In addition, a medical card patient does not have the luxury of shopping around for another doctor who can see her faster. She has to go to the GMS doctor with whom she is registered.

As for the argument that I believe was made at an earlier Stage, namely, that anybody can go into a pharmacy and buy the pill without a prescription, that only applies to those who can afford €35. The What’s Left survey by the Irish League of Credit Unions found that 483,000 people have no money left at the end of the month. Many of them are people with medical cards. The income of a single woman living alone or with friends would have to be €184 or less per week to qualify. Therefore, €35 would be more than one fifth of one’s weekly income. It is clear that there is an unarguable case for this amendment. It needs to be taken on board and implemented next year.

Deputy Gino Kenny: I support this amendment. Emergency hormonal contraception, or the morning-after pill, as it is more commonly known, is an important addition to the range of available birth control measures in Ireland, from oral contraception to medical and surgical abortion. To further the development of reproductive health care services, it is important that the morning after pill be easily available from local pharmacies without prescription and without charge to GMS patients. Emergency contraception provides relief from worry about an unwanted pregnancy and an opportunity to reassess contraception arrangements as a contraception method may fail. The considering of other options is facilitated by a consultation with a doctor or a nurse, if required, on such occasions. Emergency hormonal contraception is an important part of reproductive health care services and should be available without prescription or charge to GMS patients. I urge Deputies to support the amendment.
Minister of State at the Department of Health (Deputy Marcella Corcoran Kennedy):

I thank the Deputies for their contributions. I will convey Deputy Clare Daly’s thanks to the Minister for Health, Deputy Simon Harris.

The purpose of section 9 is to allow the HSE to consider including over-the-counter products in the list of reimbursable items, where appropriate. This provision corrects an anomaly in the existing legislation. Under the 2013 Act, only prescription medicines can be supplied under community drug schemes. This anomaly affects a number of products that were prescription-only but are now over-the-counter, as well as some over-the-counter items that have long been available under the schemes. The 2013 Act gives a temporary reprieve in supplying over-the-counter medicines under the community drug schemes until 2018. The provisions included in the Bill will make the reprieve permanent and allow some useful medicines such as emergency contraception and nicotine replacements to remain available under the drugs payment, medical card and other schemes. However, patients will still need a doctor’s prescription to obtain an approved item under the schemes, be it an over-the-counter or prescription-only item. This is an important control clinically and for the financial operation and governance of the schemes.

I wish to make a number of important points about access to emergency hormonal contraception. It is important to note that medical card holders already have access to emergency contraception which is free under the GMS scheme with a prescription. Emergency contraception is also an over-the-counter treatment; therefore, any person can enter a pharmacy and buy it without a prescription. In the 12 months to August this year, there were just under 13,000 emergency hormonal contraception prescriptions dispensed under all schemes, of which more than 12,000 were to medical card holders. Timely access is not an issue for the more than 12,000 people per year who present to their doctors and then their pharmacists for emergency contraception, rather the issue is for people who need emergency contraception but who cannot get a prescription in time, for example, at the weekend or if they are unable to obtain an urgent appointment with a GP and cannot afford to buy the product. I share the concerns raised about timely access to emergency hormonal contraception for medical card holders and accept that there should not be unnecessary barriers to women receiving this treatment.

I agree with the principle of the amendment proposed by Deputies Ruth Coppinger, Clare Daly, Mick Barry and Paul Murphy, but I do not propose to accept the amendment for the following important reasons. The Minister has already instructed officials to remove the prescription requirement for emergency hormonal contraception as a matter of urgency. Work on the development of service and clinical structures to do this is under way.

Following consultation with the Irish Pharmacy Union, IPU, last year, officials identified the challenges involved and are addressing them. Since Committee Stage they have engaged further with the HSE on the process required. Section 9 will remove the major legislative barrier to supplying over-the-counter medicines in general, including emergency contraception. Many of the IT and service processes needed were trialled in the minor ailments pilot scheme this year under which pharmacies treated patients directly for six minor conditions with over-the-counter medicines and without prescriptions.

In line with the Minister’s instructions, the HSE is developing operational structures to provide an over-the-counter emergency hormonal contraception service for GMS patients professionally, safely and effectively, including clinical standards to ensure patient safety, pharmacy compliance with these standards, as with the vaccination programmes, secure claiming and verification processes. Development will continue to build on the work already done, including
the IPU’s professional practice guidelines for dispensing over-the-counter emergency hormonal contraception and existing structures for specific pharmacy services such as the vaccination programme.

The proposed amendment is not necessary to address any operational challenge that may arise. Furthermore, it would prescribe the supply of a single treatment in a specific manner in primary legislation. This raises potential difficulties in a number of areas, including the requirement on the HSE under the 2013 Act to provide treatment in line with patient safety and cost constraints, for example, to get the best price or refuse individual products on the basis of suitability or safety. It also raises potential difficulties in a pharmacist’s use of clinical judgment, in particular, not to supply a product where it may be unsafe for a patient for clinical reasons. Supply of emergency hormonal contraception is a professional clinical service set out by the Pharmaceutical Society of Ireland which the amendment does not reflect. Further discussion will be required with the IPU on service design and Department of Health officials will pursue the matter. The IPU has previously indicated its willingness to provide this as a professional service and the Pharmaceutical Society of Ireland has issued professional practice guidelines on dispensing emergency hormonal contraception and advising patients.

It is evident that significant progress has been made to remove barriers to timely treatment for medical card holders through the use of over-the-counter products in general and, in particular, emergency contraception. I thank the Deputies for raising the issue again on Report Stage and the valuable contributions they have made in doing so. The principle behind the amendment is worthwhile and being acted on. However, the amendment is not necessary in addressing this health need and could have unintended consequences. In addition, while implementation is under way, the remaining operational challenges must be addressed before emergency hormonal contraception will be available over the counter to medical card holders. The Bill’s progress was delayed by the fall of the previous Government and the delay in forming the new one. There is an upcoming discussion with the IPU on section 9 and there should be no further legal barriers. While the Deputies’ amendment is well intentioned, it would not make what they want to happen happen any faster. Therefore, while I thank the Deputies for tabling it, I do not propose to accept the amendment.

**Deputy Clare Daly:** It is important that this issue has been discussed on every Stage. I will not labour the points made previously, but it is not rocket science. Pharmacists already dispense this treatment without a prescription. They dispense it to those who can access it privately and no training is needed. Systems are already in place to deal with other items and medicines dispensed under the community drug schemes and so on. Other unified claim forms carrying, for example, the patient’s medical card number signed by the pharmacist could be easily provided. This has been ongoing for a long time. I appreciate that work has started and that we are trying, but when will we succeed? I take it from the Minister of State’s answer that there has been no dialogue with the IPU since Committee Stage, but perhaps I picked her up wrong. The HSE has discussed the matter, but a discussion has not been held with the IPU. Given that it was to the fore in facilitating the discussion, that is where it needs to be held. I see no reason for a delay. When the Minister of State replies, will she assure the House that there is no issue with cost?

**Deputy Marcella Corcoran Kennedy:** There is sincere engagement with the officials. The intention is to progress the matter as quickly as possible. It is affordable for the HSE; therefore, it is not down to cost. There is still some IT architecture to design which we believe will take approximately three months to complete. I hope we will have made some progress on the matter by then. I hope I have given the Deputy the answer she required.
Deputy Marcella Corcoran Kennedy: I move amendment No. 2:

In page 8, between lines 16 and 17, to insert the following:

“Amendment of section 6 of Act of 2015

12. Section 6 of the Act of 2015 is amended--

(a) in subsection (1), by the substitution of “Subject to subsection (3), this Act” for “This Act”, and

(b) by the insertion of the following subsections after subsection (2):

“(3) A specified provision of this Act shall not apply to the sale of tobacco products manufactured or released for circulation before the date of commencement of that provision, until the first anniversary of that date, provided that on the date of their sale those tobacco products comply with the European Union (Manufacture, Presentation and Sale of Tobacco and Related Products) Regulations 2016 (S.I. No. 271 of 2016).

(4) In subsection (3), “specified provision of this Act” means any of the following provisions of this Act:

(a) subsections (1) to (5) and (7) to (12) of section 7;

(b) section 8;

(c) subsections (1) to (5) and (7) to (12) of section 9;

(d) section 10;

(e) section 11;

(f) section 14.’’."

As indicated on Committee Stage, I proposed to bring an amendment forward today to the Health (Miscellaneous Provisions) Bill. This amendment is to Part 5 of the Bill and proposes to insert a new section 12. The amendment seeks to amend section 6 of the Public Health (Standardised Packaging of Tobacco) Act 2015. The section deals with transitional provisions. New transitional times are now required given the significant period of time which has elapsed since the Health (Miscellaneous Provisions) Bill was initiated in January 2016. The original timeframe for the manufacture of the new standardised packaging from 20 May 2016 has now passed. I assure Deputies that while this means that the introduction of standardised packaging has been delayed somewhat the Minister, Deputy Harris, and I remain committed to ensuring that this important public health measure is introduced as soon as is practical.

The amendment proposes the insertion of new subsections (3) and (4) into section 6 of the Act of 2015. Section 6(3) states that specified provisions in the 2015 Act shall not apply to the sale of tobacco products which were manufactured before the date of commencement of that specified provision. Such products are permitted to be on sale for a 12-month period. Section 6(4) lists the relevant provisions of the Act of 2015.
The specified provisions mentioned in the amendment are the requirements of standardised packaging. The ban on the use of logos and trademarks, the use of a prescribed colour and the requirements for the appearance of cigarettes are some examples of the requirements. What the amendment means in practice is that once the specified provisions are commenced, all tobacco products manufactured from that commencement date must comply with the standardised packaging requirements. This date will be set taking into consideration the time it takes for the Health (Miscellaneous Provisions) Bill to complete its legislative journey and the notification of the technical requirements to industry for preparation. Tobacco products manufactured before that commencement date will be permitted to be sold for a period of 12 months. That is in line with the 12-month wash-through period set out in the original Act. I commend the amendment to the House.

Deputy Billy Kelleher: I do not know whether the Minister of State’s attention has been brought to the starter packs that are now on sale, which include some cigarettes and loose tobacco for a person to roll his or her own cigarettes. They are packaged in a typical cigarette pack. I will furnish the details to the Minister of State, although I accept it is a bit late to address the issue in the context of the Bill. However, it is something that must be addressed. We have talked about becoming a tobacco-free society in the near future and I am very supportive of all the measures being introduced but there are still areas that remain to be addressed. This is a nefarious, insidious industry at the best of times and it targets cohorts of young people in particular in order to get them addicted to tobacco. While the starter packs to which I referred will not come under the remit of this legislation it is something of which the Minister of State should be aware and if amending legislation is required then the Minister might look at that in a positive light.

Deputy Marcella Corcoran Kennedy: I thank Deputy Kelleher for bringing the matter to my attention. It is certainly not something of which I was aware and it warrants further consideration because we are very serious about continuing the work towards having a tobacco-free society by 2025.

Amendment agreed to.

Bill, as amended, received for final consideration.

Acting Chairman (Deputy Bernard J. Durkan): When is it proposed to take Fifth Stage?

Deputy Marcella Corcoran Kennedy: Now.

Question proposed: “That the Bill do now pass.”

Minister of State at the Department of Health (Deputy Marcella Corcoran Kennedy): I thank all Deputies who contributed to the debate on the Bill. This Bill serves to make important changes to four Acts in the interests of equity, or, in some cases, patient safety. The tobacco legislation is to help protect public health.

Question put and agreed to.

Acting Chairman (Deputy Bernard J. Durkan): A message shall be sent to the Seanad acquainting it accordingly.
Medical Practitioners (Amendment) Bill 2014 [Seanad]: Second Stage

Minister of State at the Department of Health (Deputy Finian McGrath): I move: “That the Bill be now read a Second Time.”

I am pleased to have the opportunity to address the House on the Second Stage of the Medical Practitioners (Amendment) Bill, as passed by Seanad Éireann. The purpose of this Bill is to make it mandatory for medical practitioners who are engaged in medical practice to provide evidence of minimum levels of indemnity insurance cover to the Medical Council. They will do this when they first register with the council and thereafter on annual renewal of registration.

There are currently approximately 20,000 medical practitioners on the Medical Council’s register. However, there is no legal obligation on a medical practitioner to have medical indemnity insurance cover. In some cases also medical practitioners may have indemnity cover, but this cover may be inadequate for the specialist area in which they practise. As a result, some patients and the users of medical practitioners’ services may find they are unable to seek redress in the event of a medical mishap or negligent care from a medical practitioner. Given the high cost of litigation and the long-term consequences of some adverse events, this legislation is to be welcomed as patient-focused and progressive. The main purpose of the original Medical Practitioners Act 2007 is to protect the public and to have a proactive system of robust registration and regulation of the medical profession in order to minimise the risk to the public and to safeguard the health and well-being of people accessing health services. Under the Medical Practitioners Act, the Medical Council must register every medical practitioner who practises in Ireland. In anticipation of the enactment of this Bill, the council already asks medical practitioners on application for registration and on annual retention of registration whether they have indemnity cover. On the enactment of the legislation, medical practitioners will not be registered to practise unless evidence of adequate indemnity cover is provided to the council. This development can only be to the benefit of patients.

The Bill, as originally published, put an onus on the Medical Council to specify minimum levels of indemnity on being advised by the State Claims Agency of what these levels should be. However, it was agreed on Committee Stage in the Seanad that the Bill should be amended to make it explicit that it would be the State Claims Agency which would specify minimum levels of indemnity. Currently, the State Claims Agency’s functions relate to the management of clinical claims under the clinical indemnity scheme and so it has the expertise, knowledge and experience in this area. It also has close contacts with private medical indemnifiers, insurers and other experts in the area of clinical negligence and risk. It is, therefore, very well placed to assess and specify the minimum levels of indemnity which should be required by medical practitioners. This policy change required that a new function be given to the State Claims Agency under section 8 of the National Treasury Management Act 2000, as amended.

On 5 June 2015, Government approved the drafting of amendments to the Bill. In the current Bill, the State Claims Agency will link with relevant bodies in order to assess and specify what the minimum levels of indemnity should be for medical practitioners in different specialties on the Medical Council’s register. There are currently 58 medical specialties on the register. Practising in some specialties has an inherently higher risk of a medical mishap than practising in others. Even within different specialties, some types of medical practice, by definition, will have a higher risk than others. The State Claims Agency will specify the indemnity levels to the Medical Council, which will check the indemnity cover held by each medical practitioner.
on the register. It is important to point out that all doctors who work in the public health system are provided with medical indemnity insurance under the State’s clinical indemnity scheme. Likewise, private consultants who practise in public hospitals are also covered by this scheme.

However, doctors who are engaged in fully private practice in private facilities must purchase private indemnity insurance cover. There is a wide range in the cost of cover for consultants engaged in private practice. For example, a consultant practising dermatology, based on figures from medical indemnifiers, would be considered low risk. The annual premium for this practice could be around €16,000. However, a spinal surgeon may have to pay over €100,000 for annual medical indemnity insurance cover, reflecting the much higher risk involved in that practice. The Joint Committee on Health and Children heard last year how the cost of cover for medical indemnity in private practice has increased significantly in recent years. For example, the increase was around 42% in 2014. The reason given by the medical defence organisations for this increase is that it is mainly due to the high cost of awards for clinical negligence in Ireland. This is supported by the increasing cost of clinical claims under the clinical indemnity scheme. In 2014, the cost of the scheme was €106.2 million but in 2015 this had risen to €187.7 million. The cost in 2016 is expected to be over €220 million.

The legislation will not require medical practitioners to pay any more than would be the normal adequate cover for the type of medical practice in which they are engaged. A medical practitioner who is not engaged in medical practice does not pose a risk to another person relating to his or her medical practice and so does not need cover. For example, a practitioner who is a full-time lecturer and who is not lecturing in a clinical specialist area will have no legal obligation to have medical indemnity insurance cover.

The legislation is one element of a package of measures being introduced by Government relating to medical negligence. Other elements include legislation on pre-action protocols for clinical negligence cases. This forms part of the Legal Services Regulation Act 2015, which was enacted by the Minister for Justice and Equality. That legislation should help shorten the time that it takes for clinical negligence cases to go through the courts. In addition, the heads of Bill on periodic payment orders, which will form part of the civil liability (amendment) Bill, have been agreed by Government and this legislation will be published shortly. These tort reform measures are being accompanied by a range of patient safety measures aimed at reducing the risk of clinical incidents happening in the first place. Patient safety and quality must be at the heart of our health services and it is important to keep our patients and service users at the centre of everything we do. Delivery of health care is, however, inherently risky, and while it is inevitable that things go wrong, there is much that can be done to prevent harm or error, identify the cause when it occurs and learn from this to improve services.

My Department is fully committed to progressing the programme of major patient safety reforms agreed by Government last November. These measures are focused on legislation, establishing a national patient advocacy service, introducing a patient safety surveillance system, extending the clinical effectiveness agenda, establishing a national patient experience survey and a national patient safety office in the Department and setting up a national advisory council for patient safety. Within the programme of legislation, we intend to progress the licensing of our public and private hospitals, the health information and patient safety Bill and provisions for open disclosure.

I hope Deputies will support this important Bill. Given the trauma faced by patients and their families when things go wrong, there will at least be clarity that medical practitioners
have adequate minimum levels of medical indemnity insurance cover. I thank Senators for approving the Bill and for checking on Committee Stage that the legislation was robust and fit for purpose. I commend this Bill to the House.

Deputy Billy Kelleher: Fianna Fáil will be supporting this Bill and welcomes the fact that it is before the House for debate. This has been a long time in gestation. It has been discussed for a long time in various Dáileanna over the years and there have been Private Members’ Bills on it as far back as 2007, if memory serves me right. We are now in a position where we can move this legislation through the parliamentary process. It is important that the public has full confidence when it avails of medical services in the State, be they in the public hospital or health care system or the private health care sector. This Bill will address those issues. The fact that people must register with the Medical Council and show they have adequate indemnity cover is very welcome.

The Minister of State said that the State Claims Agency will assess what the required indemnity threshold will be for the various specialties and sub-specialties in the private sector. This is something we welcome. However, we do not want too much delay or prevarication on the part of the State Claims Agency in assessing what is considered acceptable cover and then referring it to the Medical Council for it to be included in the criteria for the registration of clinicians, physicians and others. It is alarming that there is no legal requirement for indemnity in the private sector. This has caused difficulties for individuals who have had to take cases and find that there is no cover available to them in the normal process when harm is done to them.

That is certainly of grave concern. We have seen that in certain areas. Cosmetic surgery, in particular, has caused considerable difficulty for certain people in recent times, leading to class actions, etc.

Of course, this is just one of a suite of measures to be introduced. The issue of open disclosure and duty of candour is another key area in ensuring that there is confidence in the system and that it is not as adversarial as at present. If damage is done to an individual we need to have a system in place. While accepting that clinicians have an entitlement to defend their professional integrity, dragging people through a very onerous and confrontational legal system is distasteful, to say the least, particularly when harm has been done to them.

While we must all come to the pre-legislative scrutiny with open minds on open disclosure, it is something that needs to be not just written in legislation but also instilled in the culture. If there is an adverse effect on an individual who has had interactions with the health system, public or private, there should be an onus to accept, inform and make redress without the usual delay, prevarication and, sometimes, a very hard-headed legal process for people to overcome in order to seek redress. I welcome that aspect of the provisions that are coming.

It is alarming - the Minister of State referred to this in his speech - that medical indemnity insurance costs have increased by 42% in the private health care sector. Under the clinical indemnity scheme, payments have doubled in two years, from €106 million in 2014 to an estimated €220 million in 2016. Of course, that has an impact all the way back to people who are taking out private health insurance. It impacts on people who are trying to maintain private health cover because these costs are ultimately borne by people who take out private insurance and use private health care facilities.
We need to look at this area very quickly to understand the reasons behind it. Over the years in various Oireachtas health committees we have had discussions about the indemnity, the costs of the awards and all that flows from that. If damage is done, obviously there must be redress, but we need to ensure that our payments systems are in line with best international standards and practices in similar legal systems to ours.

Damage was done to people in Our Lady of Lourdes Hospital in Drogheda and in some other areas over a number of years. When discussing issues like this we must acknowledge that some people have been treated very poorly by the system, in the first place when they interacted with the health services. Subsequently it sometimes takes the State a very long time with huge resistance to redress. That applies not only to the health area, but also to institutional abuse where the State has put up huge resistance where by and large it is accepted that a wrong was perpetrated to an individual or a group of people.

At times the State does itself a disservice by being too entrenched by trying to defend a position that is no longer defensible. If we expect open disclosure and a duty of candour from individuals working in the health system, then the State should equally be obliged to have an open disclosure and a duty of candour to ensure that individuals are not put through onerous processes. I accept that the State has to defend its position, but the State for many years has defended positions that were wholly indefensible. With almost infinite resources and taxpayers’ money available to it, the State has fought citizens tooth and nail to the steps of the Supreme Court, knowing full well that at the end of the day that it would lose. It was simply a policy of prevarication and obfuscation. We need to change that if we are to have a true republic where citizens have an entitlement to at least due process and equal opportunity in trying to seek redress as opposed to taking on a state that has and uses very heavy-handed tactics from time to time.

While not wanting to delay the House too much, I wish to broaden the debate. We welcome the Bill, which is significant in many ways. There is, of course, an issue with the number of clinicians, doctors, physicians and other medical professionals coming into the country. We need integrity in the process. We are doing not just ourselves but global health a disservice by not training enough of our own doctors and nurses. We have a dearth of highly trained professionals in this country, while some of our best and brightest are leaving. At the same time we are going to the poorest countries to pillage their best and brightest. These people are needed in their own countries.

There is a moral imperative here. As the First World country we claim to be, we are consistently trawling the world looking for nurses and doctors from elsewhere. At the same time we will not train enough in our own system and many of those we train are leaving. From a moral and ethical point of view that needs to be addressed. If people want to come here and feel they have something to offer, they are more than welcome. However, we need to address the moral and ethical issue of a First World country going out and basically taking people from countries that need them badly. We are targeting countries with a series of recruitment advertisements, while nurses and doctors trained here are going elsewhere - primarily to other First World countries obviously. We then leave a dearth in the countries from which we get them with no obligation on us to assist them in any way. As a country, we should think long and hard about that. I am very liberal when it comes to opening up our labour market to people from outside and I have always welcomed that. I believe we need to discuss the medical area because it has an impact on their home countries.
In looking at the suite of measures, we need to ensure that the State Claims Agency robustly, efficiently, effectively and quickly assesses the type of indemnity required for the various specialties and sub-specialties. Equally we need to assess the impact the clinical indemnity scheme and the pay-outs is having on the cost of health cover and the provision of private health care in the country. In the overall health service - public and private - open disclosure and a duty of candour needs to be not only addressed statutorily but also embraced as a cultural shift in thinking.

Overall I welcome the concepts behind the Bill. We need to move quickly to assess what is required to implement it, ensuring that the resources are available to the State Claims Agency. We often pass legislation here without providing the agency that has to make the assessments and implement it with the resources to do its job effectively. It is critically important that whatever measures are required are available in supports for the State Claims Agency to make these assessments to ensure the Medical Council has full knowledge of what indemnity is required.

Deputy Louise O’Reilly: I note that my colleague, Deputy Ó Caoláin, spoke on this legislation in January of this year and that it has taken us almost a year to come back to Second Stage. I welcome the opportunity to discuss this legislation and other issues relating to the medical profession and safety in our health system. We have been told that this legislation is designed to protect the public and to have a proactive system of robust registration and regulation of the medical profession in order to minimise the risk to the public and to safeguard the health and well-being of people accessing health services. The legislation is supposed to do this by making it mandatory for medical practitioners engaged in medical practice to provide evidence to the Medical Council of minimum levels of indemnity insurance cover on registration with the council and on annual renewal of the registration.

While researching this legislation, I noted with interest that issues relating to medical negligence and clinical negligence cases were central to this and to other upcoming legislation. This struck me because I see our health system as being under-resourced and having capacity issues and an inability to recruit and retain staff. These issues are the greatest enabler of medical or clinical negligence currently. While we are legislating to ensure that medical practitioners are sufficiently covered, we are not making enough strides to ensure that the health system is robust enough to offset potential incidents. This is what we are discussing, namely, the likelihood, or otherwise, of these incidents occurring. For example, the Minister might take the frequency with which the full capacity protocol is being deployed in our hospitals. It was deployed 2,300 times in a 321-day period in 2016 across 26 hospitals. The protocol of last resort is now being used with such worrying frequency that alarm bells must be going off in the Department of Health about the lack of capacity. Yet, despite the Government rhetoric of there being the largest investment in health in years - I have heard so many times about the largest investment ever in the history of the health service - it seems this is not enough. Even as we sit here this evening, the full capacity protocol is being overused. The full capacity protocol should indicate that a hospital has breached maximum capacity but it appears to be a constant state for many of our hospitals now.

With accident and emergency departments overcrowded, people languishing on trolleys and understaffed services across all parts of the health service, how can we expect that we can deliver quality, safe care without any incident? We see nurses and midwives balloting for industrial action in some areas, precisely because they do not have the confidence in the services. The decision by INMO members to commence industrial action is based on their concerns in regard to patient safety and their ability to provide safe care. These concerns are well known
and have been articulated in the media many times. It is a great concern to front-line midwives that the ongoing clinical risks due to a shortage of staff remain unaddressed. What is the Minister of State doing to address this? I am sure the Minister of State would agree that in order to make the health system patient-focused and progressive, as previously stated, these issues must be addressed urgently.

I would like to use some of my time to refer to another matter, albeit a slightly tangential one relating to general practitioners. From deliberations we have had in committee with the Minister for Health and officials in the HSE it is clear that preparations for the next phase of the discussions on a new GP contract are under way. Similarly, as I have read in the newspapers and elsewhere, the HSE has commenced a comprehensive public and stakeholder consultation process. I raise this issue because of the current dispute and problems surrounding Shannondoc. I am very cognisant that there are many facets of the GP contractual relationships with the HSE to be addressed in the new GP contracts, but I believe that the current issues with Shannondoc and the provision of services present some important issues that must form part of these deliberations. The people of west Clare have been very active recently in holding public meetings on this issue and they have discussed the issue across the length and breadth of the county. It would be important for the Minister and his officials to engage directly with these people, to navigate a mutually beneficial response to the situation in which they find themselves. On the one hand, we have the GP co-operative claiming that falling GP numbers was behind a decision to scale back services in east, west and north Clare while on the other hand, the HSE says there are two fewer doctors in the county over the past six years.

In terms of the issues in west Clare, it is becoming clear that a row over out of hours rostering is the main driver behind the recently announced changes to services in this part of the county. It is fair to say that this is not a funding issue. The funds have not been cut despite the fact the service to the public is being reduced. Out of hours rostering and the availability of GPs is an issue. When people cannot access these services out of hours they are more likely to head directly for the hospitals, to be on the safe side and to avoid wasting time. This puts pressure on our hospital system which will, inevitably, lead to the litigation and the issues we are discussing this evening. It is not enough to ensure that doctors have indemnified themselves against the failings of the health service. We should be looking comprehensively at the issues that lead to the levels of litigation and the levels of patient safety we discuss perennially.

Galway University Hospital operated the full capacity protocol 181 times up to November and in Limerick, it was 283 times. The cuts in Shannondoc are forcing the people of west Clare into these hospitals. We are not developing primary care; instead, we are simply overburdening an already overburdened system.

Shannondoc provides a really vital, urgent out of hours GP service the people of Clare cannot do without. This scaling back of Shannondoc services will only result in more people joining the queue in the already overstretched accident and emergency departments. It can have no impact other to ensure the accident and emergency departments, which are already stretched to capacity, are further stretched.

We are becoming a more litigious society, but the best way to combat this is investment and open disclosure, to take the burden off the individual. Individualising the issues caused by the systemic failure in the health service, by forcing each medical practitioner to account for himself or herself in regard to indemnity is not necessarily going to solve the problems. The problems are systemic. Sinn Féin has no difficulty in supporting the Bill but we do so by using
our time to point out the fact that this will not change the issues that cause people to find themselves in a combative situation with the health service.

I echo the sentiment expressed by Deputy Kelleher on the manner in which the HSE and the Department of Health fight with their own patients and their own staff. As a union official, I have had occasion to represent nurses. We all know that nurses are at the coalface of our health service. I am all in favour of ensuring full accountability but it is astounding the amount of money that is put into fighting with staff and patients. It is beyond comprehension at times. We support the legislation but do not believe it is anything other than a tiny piece of a very large jigsaw.

**Deputy Alan Kelly:** I want to say a few words on the legislation. Many people in the State are surprised that we actually need this legislation. We have been a long time waiting for it as it has been in gestation an incredible amount of time. I noted the Minister of State’s speech; his predecessor, Kathleen Lynch, gave a very similar speech.

**Deputy Finian McGrath:** I did not rob her script.

**Deputy Alan Kelly:** It was very similar altogether but we will not go there.

It is incredible this issue has not been dealt with previously. Many of us know cases that have arisen because the legislation and the indemnity have not been in place. The gap in the legislation has created a range of issues for the individuals or groups involved, which is unnecessary and unfair on them. The fact the indemnity was not there and they had no cover has caused a serious burden and pain for many people. The legislation will help people any time there is a mishap. We must point out to the public, so they do not get concerned, that those working in the public system are covered. This relates to private practice. The legislation will speed up claims, litigation and awards, and all the stress and pain these cause to people who, unfortunately, find themselves in the situation.

The changes brought about through amendments on Committee Stage in the Seanad are welcome, because there was some concern and confusion regarding setting the minimum levels of indemnity through the Medical Council. The fact it will work with the State Claims Agency is something that certainly improves the legislation and makes it more robust. I have some questions on this and the Minister of State might answer them when replying. He spoke about 58 medical specialties and sub-specialties. I presume there is a big chart of various specialties available where they all have different risks, from very low risk to extremely high risk for a very complex medical procedures, and this is understandable. Will the Minister of State outline to the House the process by which all these risks will be set for minimum indemnity, with regard to the complexity of being able to assess the most high-risk specialties versus the most low-risk specialties, to ensure we can have confidence, particularly in high-risk areas, that minimum levels will be met and people will be protected? Certain specialties involve only a small number of people. They must be satisfied the indemnity cover set for them is appropriate. How will disputes, people with grievances or issues in this regard be dealt with? It is not fully outlined.

Deputy Kelleher referred to the cost of insurance cover, which has shot up by an incredible 42% since 2014 to €220 million. The impact this has for those taking out insurance is considerable, with regard to the cost of their plans, the cover they have and the general costs in a number of areas. What plans do the Minister of State and the Department of Health have in this regard? This has been rapidly growing in recent years. Are there any plans to stop this totally running
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out of control? There may not be plans. Perhaps the Minister of State will tell us when replying what are his comprehensive plans to try to manage this in the coming years.

This is very important legislation and it is unfortunate it has taken this long to be brought forward. It will give confidence to the public with regard to private practitioners that they will be covered. It would have been a worthy legislation if it had been in the House previously.

I had not intended to go near the next matter, but my colleague, Deputy O’Reilly, raised it. She referred to something very close to my heart, namely, the risks associated with what is happening in Shannondoc in County Clare. It does not cover just County Clare but it also covers County Tipperary. I use the Shannondoc service, as do my children. What is happening in County Clare at present is an absolute disgrace. It will create contagion throughout the country with regard to other co-ops. The service drop issues in east Clare and west Clare are not the same and the Department of Health and the HSE need to get a grip on this. In east Clare the drop in the number of doctors from 12 to two does not warrant a decrease from 55 hours to eight hours of service. It is a disgrace. I live in the area and I dare say I am closer to it than all the Clare Deputies.

Deputy Finian McGrath: I know it well.

Deputy Alan Kelly: In fairness to the Minister of State, he is down there quite a bit. There is huge concern among the public. They feel they are at risk. Someone living in Mount Shannon or Scariff will not be able to get to a GP in time. There is a review of paramedic services in the midwest at present and there is more fear because of this. I have been given assurances in the House and in committee by the Minister, Deputy Harris, and by the HSE that the review will only be positive. I presume this will be the case, but if it is not there will be a serious problem.

There is huge risk in the area and people are concerned and upset about the fact they do not have a service like the one they had. The volume of out of hours service is not there. This brings me back to the new GP contract because this will have to be covered. People will simply end up going to Limerick. In some cases they will go to Shannondoc in Limerick, if they can find it, or they will end up in the accident and emergency department, and we all know the problems with that in Limerick. I do not need to spell them out to the House. The chief executive of University Hospital Limerick cannot perform miracles. There will be higher demand there as a result of this, and it will cause greater patient risk, as the Minister of State can appreciate. It is unacceptable.

Many of the GPs in the area are very good and not all are in agreement with the decrease in hours. Some of them opposed the decision. The GPs have a contract to do a certain amount of out of hours service and, particularly in the cell in the Killaloe area, many simply do not pull their weight. This will happen across other cells and other co-ops. The number of doctors in the Limerick area who do not practice out of hours is incredible. They have contracts and they are paid by the taxpayer. It is not acceptable. The public is not getting the service for which the taxpayer pays. This will become a real issue. It started in Clare and I understand there are issues in other parts of the country. I am open to correction, but I understand there are issues in Donegal and other areas.

I hope that at some point, the Department and the Minister will discuss this at their meetings. We need a new GP contract. We need a little bit of ingenuity in how we set it out. In some parts of the country, particularly in rural areas, we will need to have directly employed doctors.
because of the geographical and other issues. It is a real issue in the area and will continue to be so despite what others may think. Many members of the public are quite disgusted by what is happening with the doctors. It is causing such concern that I can see it being an issue that will grow throughout the country, including in the midwest. I call on the Minister and his Department to accelerate the new GP contract and the plan for services across these areas. The co-op model is breaking down so I hope the Minister will give this his close attention.

Acting Chairman (Deputy Bernard J. Durkan): Deputies Michael Harty and Mattie McGrath are sharing time.

Deputy Michael Harty: At the outset I wish to declare that I am a registered general practitioner. When I started in general practice many years ago my medical indemnity insurance was £40 but now it is €14,000, which will give Members an idea of the increase over the years. It is essential that a general practitioner, or any doctor practising in a specialty, has medical indemnity insurance and, having always worked in the public system, I was not aware that it was not a requirement of the Medical Council that a doctor have evidence of medical indemnity insurance. It would be a very brave doctor who practised without it but it is only a factor in private practice because, in the public health service, a doctor would not get paid without insurance so he or she has a great incentive to have it.

Deputy Alan Kelly wondered what the costs of medical indemnity insurance were and how they were arrived at. There are three companies providing medical indemnity insurance: the Medical Protection Society, the Medical Defence Union and Medisec, which is an Irish organisation. Actuarial evidence is used to determine how medical indemnity insurance is set for each medical specialty. For a general practitioner the amount is lower, at €14,000, but for an obstetrician or an orthopaedic surgeon it can go up to €150,000 because of the much greater chance of being sued. We have, unfortunately, become a very litigious society and the number of cases against Irish doctors has reached almost the same level as those against American doctors. I do not say that people should not have redress if they are damaged or harmed but there has been a huge increase in litigation against doctors, hence the huge rise in medical indemnity insurance.

This Bill applies to doctors in private practice. It is very important that evidence be provided that one has insurance because it is important to a patient who is damaged that he or she has some financial redress to compensate for it. The medical profession is highly regulated and the Medical Council is a very powerful body with many doctors, myself included, trying to keep ourselves out of its clutches, if that is not too strong a way of putting it. It is a very strict body and there is a great incentive for doctors to have medical indemnity insurance and to practise in a proper and safe manner. The ethos of the profession is primum non nocere which means, “First, do no harm”. Medical mishaps do happen, however. A medical mishap is not akin to negligence and we are processing a new system of voluntary open disclosure in which, if a medical mishap occurs, the patient or the relatives of that patient are informed in a timely manner. Many cases of medical negligence may easily be resolved by an admission that something happened, with an explanation and a commitment that systems will be put in place to prevent the error happening in the future. Many people are happy with an explanation of what went wrong. That is in no way admitting that one has been negligent but it involves an admission that an error has happened. This is very important for the medical profession and I hope the relevant legislation for it passes through the Houses in the not-too-distant future. We have already discussed it in the Joint Committee on Health and we will do so again next Thursday. Medical indemnity insurance is primarily there to protect the patient and to compensate for any error.
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Shannondoc was brought up this evening, though it does not directly address the Bill. It is an out-of-hours general practitioner service for patients and is one of a number of co-operatives which are beginning to feel the medical manpower deficit. A huge problem is coming down the road in respect of medical manpower, particularly in the GP area. Some 33% of GPs are over the age of 55, which will mean 900 GPs will retire in the next ten years while the number of GPs who have qualified from medical schools and training schemes are not sufficient to replace them. Many of them look at the contracts in the Irish health system, which have applied over the past 44 years, and will not be taking them up. Many newly qualified GPs are working as locums but will not take up a contract and jobs are coming up for which there are no applicants. This is a huge problem that needs to be addressed on a number of levels. The GP contract needs to be a flexible contract which offers part-time work, job sharing and salaried positions which will attract GPs to work, maybe not for a lifetime but for three or five years in rural Ireland. Rural communities deserve a service as much as communities in urban areas and the new GP contract is key to solving the problems with Shannondoc and the many other co-operatives around Ireland which are suffering from the same problems. The main problem is a lack of GPs in rural Ireland. The number of GPs working in the mid-western health board may not have fallen but most of the GPs are migrating towards urban centres, leaving rural practices without a doctor and out-of-hours services struggling to meet the demand.

Another problem is that the gaps that have been left in rural general practice have been filled by locums from outside Ireland, such as from South Africa and Australia, and their conditions of employment have changed substantially in recent years with the application of VAT to their services and immigration laws. They are required to come and work here for 90 days and then leave for 30 days, before coming back for 90 days and having to leave yet again for 30 days. No locum is going to do that because he can go to any country in the western world and work in much better conditions. The fundamental problem is in attracting GPs to rural areas. To say that the GPs who are still standing, and working, in rural Ireland are not stepping up to the plate is quite erroneous. It has been determined that a rota of one in ten is the lowest safe rota for a GP. That involves a GP working six and a half weeks per year in overtime, out-of-hours work. When one considers that there are professionals who have gone on strike because they have been asked to work 33 hours extra a year, the fact that GPs are expected to work in excess of 6.5 weeks’ overtime per year puts the problem in context. We are forcing our young GPs out of the country and what is happening in Shannondoc is going to happen right across the country. It is a national issue, not just a local one.

I commend this Bill to the House. It is essential and it has my support.

Deputy Mattie McGrath: I defer to Dr. Harty and his experience. I have some limited experience of dealing with GPs and of watching very harrowing cases where we have seen the HSE and its legal advisers drag families through the courts for years, sometimes decades, and have then admitted liability on the steps of a court. Huge awards have been paid and trauma and stress have been inflicted on families in situations which were totally outside their control and unfair. I welcome the Bill as an effort to deal with this. It has been harrowing to hear statements on the news of a loved one who has fought sometimes for ten or 15 years. It is serious. The State Claims Agency needs to be reformed. If there is clear knowledge and legal expertise that says something happened, without admitting total liability, it must settle these cases. There must be humanity. In many areas, the HSE lacks humanity and the human touch.

Deputy Harty compared the insurance costs and legal claims when he started to those today. There seems to be no holding back. The figures for 2014 and 2015 as well as the anticipated
costs for 2016 were quoted. The money is phenomenal. One would need a computer to tally it. It has trebled between 2014 and 2016. I am involved in a community involvement scheme and the insurance has increased from €50 per participant to €150; it has trebled. Lo and behold, when we got a cheaper quote, the insurance company told us it would match it. It is nothing short of a racket. I have said it here before. The insurance industry is an extortionist racket and legalised robbery. It could not be called anything else. Insurance companies tell customers if they get a cheaper quote they will match it, but first they give a shocking quote to a voluntary group that cannot afford it.

We are trying to attract young GPs. We have lost our best and brightest. It takes a village to rear a child. A person who studies medicine has to work and study very hard. Many ordinary, middle-class people - the new poor, as I call them - do not get grants, and their families have to put them through college. Then we lose them all as they go abroad because of the abject, dire conditions in which they are expected to work in public hospitals.

Rural GPs suffer loneliness and lack of support. We fought it in Bansha for years. If there is no doctor, there is no village. Those in the larger practices have the support of colleagues and others if they get sick. It has been 40 years since the GP contract was updated. A group of doctors had to break away from the Irish Medical Organisation, IMO, because the IMO is a cosy cartel, as in so many other areas of health administration, including the Department and the HSE. It is completely out of control. There is no understanding, interest, passion or vision to look after the ordinary people, ensure we have GPs, put some bit of respect and manners on the insurance industry and ensure there is some bit of humanity regarding settling claims and not dragging people to the courts for years. Nobody is accountable, that is the problem.

In 1983, Mr. Paul Kelly, the boss of Console, employed himself as a GP. Where were the checks and balances on him? Did he have indemnity insurance? I would love to know. It is a pity he did not have it in a charitable organisation either. We can see gaping holes. This is where we are left. I recently saw a case on television in which a fitness to practice committee was examining a case in the west in which a consultant did not know the difference between an ankle and an elbow. There is some difference. A vet dealing with an animal that could not tell him or her where it had a pain would know, but this guy did not know the difference between the ankle and the elbow. I wonder who employed him and what insurance cover he got. How could someone like that be insured? He could not be insured. How did he get through the system? How was he employed in a hospital? There are question marks all the time and I am sure there are many more instances.

Notwithstanding the powerful work that goes on in our hospitals and in GP practices and that is being done by front-line nurses, it is the HSE we need legislation for. We need legislation to get rid of it, to stand it down. It has cannibalised itself and is totally dysfunctional and unable to react to any situation, because there is not a shred of accountability. When I put down a parliamentary question to the Minister, it is referred to the HSE for an answer. It is a joke. Two former Fianna Fáil taoisigh promised me they were going to disband the HSE, but it goes on and works away and it is not accountable or made adaptable.

Last weekend, I met a woman whose two daughters went to work as nurses in Australia. Representatives of the Bon Secours Hospital in Cork went to Australia to entice them to return to work in that hospital. They returned, yet we in Tipperary cannot get them. They travel from Tipperary to Cork every day and will not work in South Tipperary General Hospital because it is bedlam. This morning nurses would not attend at the hospital because they could not cope.
Trolley numbers have increased 220% this November compared to last November. Think about the front-line staff. We have ward managers, floor managers, bed managers, linen managers, hygiene managers and food managers. We nearly have yard managers. We have everybody to manage but nobody to work. The lunatics are running the asylum. We see what is going on in Portlaoise hospital. Ordinary, dedicated, passionate people who have taken the hippocratic oath to work to cure people are not supported. They are hindered, blindfolded, restricted and blackguarded by senior management. Most the time, they do not even have blankets or pillows to lie on the trolleys. If we saw it on television happening in a Third World country we would have collections. We have had collections to send food out those unfortunate people, but we have it on our doorsteps. There is no explanation for it. It should not be happening.

I salute the GP practices for the work they do. It is a tough job. They have to make decisions after a ten, 15 or 20 minute consultation. I recently brought the Minister for Health, Deputy Harris, to two GP practices in Clonmel, the Mary Street Medical Centre and the Western House Medical Centre. They have fabulous experience there. They have six or seven doctors with 20 or 30 years of experience each, totalling hundreds of years of experience. They have made huge investments in diagnostic equipment and have medical insurance, which costs them a fortune. The HSE has a two-year waiting list for a simple ultrasound diagnosis. However, because of bureaucracy, the HSE will not allow patients to be diagnosed in these GP clinics, which have links to colleges and people in university hospitals to read the X-rays and scans. Instead, they must send their patients to the accident and emergency departments to further overcrowd them, for fear they are not bad enough, and wait a minimum of six months. It could be done in these GP clinics for a fraction of the cost and it would take away the pressure from the accident and emergency departments. How can we get this through to the HSE? We write to, telephone and make other contact with the HSE. The Minister and I visited another clinic that had extensive diagnostic equipment, some of which I did not even understand. Although this clinic could do the same, it must send its patients to accident and emergency, where they go into a packed ward and wait hours or even days on trolleys before meeting a junior doctor. I mean no disrespect to the people working there. These junior doctors are much less experienced than the GPs and are tired from working 20 hours shifts. Although this is supposed to be outlawed, they are working 20 hour shifts and are going around like zombies, but are expected to make decisions. The diagnosis could have been done in the calm and relaxed atmosphere of the GP clinic. The GP clinics I deal with are very warm, friendly places. However, this would involve the loss of a little bit of the imperial control of certain management systems in the hospital. This is what it is all about: control and egotistical power trips for promotions.

When the consultants retire, which they are entitled to do, they contract their services out to the HSE for weeks, if not months, afterwards. It is a rotten, disgusting racket and it should be stopped. The HSE should not stop this because it is not serving the public or the sick. It is self-serving and it is shameful.

We have a hospital in Cashel on which €18 million or €20 million was spent after it was closed. There is not a patient inside it notwithstanding the bedlam 15 miles down the road in Clonmel. We cannot put a patient in it, even though the Minister, Deputy Harris, visited recently at our request to see what was going on. It is state-of-the-art but it is office after office. There are suites of offices and what is being done in them could be done in any office in any part of the country. There are plenty of them so let hospitals be used to treat people. I have asked the Minister about it and I asked the Taoiseach about it last week. HIQA will not allow it to be used because there is no lift. We had a perfectly good bed lift which I was in twice as a patient.
However, in the upgrade, the planner of which I would love to know, the bed lift was removed for fear we would put a patient into it and interfere with their grand, powerful headquarters with its colour-coded tiles, armchairs and wall-mounted paintings. “We could not have patients in here; this is for us”, they say. There is something rotten in the state of Denmark and there is something rotten in the state of the HSE. It is totally dysfunctional and we cannot use the facility. HIQA says that because we have no lift, we could not evacuate in the event of a fire. HIQA is cited because we do not have this, that or the other. I have told the Minister to sell it to the Bon Secours. He should put it up for sale to some private company that would come in, work it as a hospital and treat people rather than to have it as an emporium-style headquarters for officialdom. It is beyond a joke. We had St. Luke’s psychiatric hospital for years and it served the people. It was closed down and one third of it is now offices.

I support the Bill but we need a great deal more legislation. We have to look at a lot more than persecuting GPs. By all means, they have to have insurance but we need to keep control of insurers. Insurance companies are watching this tonight and rubbing their hands with glee because they see money and slot machines. We must support the GPs and ensure, of course, that they have insurance, but we also need to have insurance at reasonable prices.

**Minister of State at the Department of Health (Deputy Finian McGrath):** I thank Deputies Kelleher, O’Reilly, Kelly, Harty and Mattie McGrath for their support for the legislation. I also thank the Deputies for putting forward ideas and setting out some of the problems we have in the health service. That is what this debate should always be about. I welcome their contributions on Second Stage of the Medical Practitioners (Amendment) Bill and the fact the Deputies have expressed their broad support. Medical practitioners work tirelessly to protect public health and the vast majority do not engage in medical practice without adequate indemnity cover. This legislation will reassure patients that doctors are practising with appropriate levels of medical indemnity insurance cover. It should serve to weed out the very few, and I emphasise that it is a very few, who do not do the right thing, that is, those who do not have adequate levels of cover.

Deputy Kelleher referred to the possibility of delay. I do not expect the State Claims Agency to delay the process of specifying minimum levels of indemnity as adequate resources are available to the agency for this purpose. Proposals for open disclosure legislation will undergo pre-legislative scrutiny this Thursday. I agree with Deputy Kelleher that the legislation should be progressed as a matter of priority as part of the suite of measures relating to tort-reform, specifically the civil liability (amendment) Bill, which will introduce periodic payment orders. The legislation will allow for staged payments to those who have suffered catastrophic injuries.

Deputy O’Reilly raised very important issues in regard to Shannondoc, litigation and the working conditions of nurses. She also made a very important point about the Government constantly speaking about the €14.6 billion in the health budget that we secured this year. It is very important that the positive things are recognised too. We have €20 million for the National Treatment Purchase Fund to tackle waiting lists and 10,000 medical cards for children with disabilities are also coming on stream. We have also seen a reduction in prescription charges for people over 70 and supports and services for school-leavers with disabilities. We also had the €5 million to kick-start the Healthy Ireland fund. Things are happening and the money is being rolled out. I accept the Deputy’s point that there are major issues of reform and efficiency. We must constantly invest in health services which have been neglected for many years. That is something we are trying to do. The last budget was a step and hopefully we can develop it further.
Issues were raised about the 58 specialties on the Medical Council register. Insurers must currently assess the levels of risk to offer insurance indemnity. The State Claims Agency will consult with the indemnifiers and insurers. It will also examine court awards and consult with risk assessors to agree the minimum levels required. How we are managing the increasing cost of insurance for private practitioners is a legitimate question. The Government approved the establishment of the capped scheme in 2004 which means that practitioners must only purchase indemnity cover to a certain level or cap. Over the cap the State pays the balance. The capped scheme was introduced by the Department of Health in 2004 to provide limits or caps in respect of clinical indemnity cover that consultants are required to purchase in respect of their whole-time off-site private practice. Under the capped scheme, consultants purchase indemnity up to certain limits or caps and the State’s clinical indemnity scheme covers any claims arising in excess of these caps. Without the capped scheme, subscription rates for consultants in whole-time private practice would have been greatly increased. On disputes and their resolution, the Medical Council will publish on its website the minimum levels required for the different classes of doctors in the 58 specialties. The State Claims Agency will have worked out the minimum levels based on extensive consultations with the relevant stakeholders.

A number of Deputies referred to the GP contract. The development of the new, modernised contract for general practice to address the changing role of doctors in delivering chronic care within the community and allow general practice to play its part in addressing the challenges that face the health service is a priority. I emphasise that. The Department of Health, the HSE and the IMO are currently engaged in a comprehensive review of the GMS and other publicly funded health sector contracts involving GPs. Engagements to date have seen the Department, the HSE and the IMO agree a number of service developments, including the introduction of the diabetes cycle of care for adults and other patients with type 2 diabetes and a support framework for rural GPs which has increased the number of qualifying GPs to over 300. We have also seen a revised list of special items of service under the contract to encourage the provision of more services in the primary care setting.

When we are talking about these issues, it is important to remember that the whole ethos of the Department of Health and the HSE is a strong patient safety culture to minimise risks. Over the next two days, the Department will hold conferences on these issues and a strong patient safety culture will be top of the agenda. It is important to note that there will be no additional cost in the price of indemnity or insurance for medical practitioners as a result of the improved measures proposed in the Bill. The proposals will benefit patients should things go wrong with their medical care. It is important to reiterate that the Bill is one part of a wider package of other legislative proposals intended to benefit patients. Our focus must be on improving services for patients. Legislative proposals include the introduction of periodic payment orders for catastrophically injured people, pre-action protocols to streamline the legal process in medical negligence cases, the licensing of our public and private hospitals, the health information Bill and provisions for open disclosure. This wide range of legislative proposals is underpinned by the introduction of specific patient safety measures, including the establishment of the national patient safety office in the Department of Health and the national patient advisory council for patient safety. Patient safety is at the heart of everything we do in our health services.

8 o’clock

Unfortunately, the reality is that providing health care is at times risky and under pressure mistakes sometimes happen. This Bill, together with all of the other measures I have mentioned, is a very significant step and is being actively progressed to ensure that the best possible
care for patients is provided, even when things go wrong.

The Medical Council, which already does an excellent job as the regulator of the medical profession, will in the public interest create awareness among medical practitioners of the minimum levels of indemnity specified by the State Claims Agency. The Bill also gives the council power to sanction those who do not comply with the law.

This is a welcome Bill and I urge Deputies to support its passage. Once again, I thank all of the Deputies for their contributions to the Second Stage debate and look forward to further constructive examination of the Bill on Committee Stage. I commend the Bill to the House.

Question put and agreed to.

Medical Practitioners (Amendment) Bill 2014 [Seanad]: Referral to Select Committee

Minister of State at the Department of Health (Deputy Finian McGrath): I move:

That the Bill be referred to the Select Committee on Health pursuant to Standing Orders 84A(3)(a) and 149(1) of the Standing Orders relative to Public Business.

Question put and agreed to.

Electoral (Amendment) (No. 3) Bill 2014: Second Stage [Private Members]

Deputy Éamon Ó Cuív: I move: “That the Bill be now read a Second Time”.

Molaim an Bille seo don Teach. Is é an polasaí atá leis an mBille seo ná go mbeadh an vótáil ar na hoileáin ar an lá céanna leis an mórthír. Cuirim fáilte roimh an Aire go dtí an Teach mar, ar ndóigh, is as Contae Chorcaí é. Le blianta fada anuas, bionn an toghchán ar na hoileáin i gCorcaigh ar an lá céanna leis an mórthír. Tá ceann de na hoileáin sin - Cléire - chomh fada amach ón gcósta agus atá aon oileán in Éirinn. Chomh maith leis sin, d’fhéadfaí a rá nach bhfuil na saoráidí céanna ó thaobh iompair nó rochtain de ann agus atá ar chuid de na hoileáin a mbíonn an vótáil ar an lá roimhe.

Agus mé ag moladh an Bhille seo, thóg mé san áireamh na hathruithe ollmhóra atá tagtha ar chúrsaí iompair sa tír seo agus an nósmhaireacht a húsáideadh sa toghchán deiridh. Tá ceithre chontae in Éirinn agus ceithre Dháilcheantar go bhfuil oileán iomtu: Corcaigh Thiar-Theas, áit le fada an lá, mar a dúirt mé, go mbíonn na toghcháin ar an lá céanna leis an mórthír; Gaillimh Thiar, áit a bhfuil ceithre oileáin agus os cionn leath de dhaonra na n-oileáin agus ait a bhíonn an vótáil an lá roimhe; Maigh Eo, áit a bhíonn an vótáil an lá roimhe an t-am seo; agus Tír Chonaill, áit a bhíonn an vótáil an lá roimhe go dtí an t-am seo.

Tá cás Chontae Dhún na nGall thar a bheith spéisiúil mar an toghchán deiridh ba é an tAerchór, de réir mar a thuigim, a thug amach na boscaí agus a thug isteach iad ó na hoileáin - beartas ciallmhar stuama. I gcás oileáin Árann, tá eitleán ann agus, ar ndóigh, tá seirbhís bás ann agus ni raibh fadhb a dtabh ar bith na boscaí a fháil go dtí na hionaid vótála. Tá sé thar a bheith tábhachtach go dtuigfimid gur ceist chearta daonna atá i gceist anseo. Ceann de na bunchearta is mó ar troideadh ar a son thar na blianta fada ná go mbeadh vótáil ag saoránachta na tire seo. I gcás na n-oileáin, nil an vóta céanna nó an deis vótála céanna acu agus atá ag daoine ar an
mórthír agus tá muid ag iarraidh é sin a chur ina ceart leis an mBille simplí seo.

Is é leagan amach an Bhille ná breathnú ar chuid den reachtaíocht toghcháin agus aon tagaírt atá ann do vótá a bheith ar lá roimh an chuid eile den tir a bhaint as an reachtaíocht sin ach deis a fhágáil, mar gur nós é i gcás ar a laghad pêire de na hoileáin i dTír Chonaill, go bhféadfadh lá níos gaire a bheith ann. Tarlaíonn sé seo, mar shampla, ar Inis Fraoigh, áit nach bhfuil ach b’fhéidir ceathrar nó cúigear ag vótáil agus an rud céanna ar Ghola.

I can imagine the advice the Minister for Housing, Planning, Community and Local Government, Deputy Simon Coveney, is receiving, but I hope he is not taking it. I have often criticised the Minister’s policies, but I have found him very amenable to listening to the House in terms of legislation. A number of Bills were passed by the previous Dáil, such as the Animal Health and Welfare Act, where the Minister listened to reasoned arguments from the Opposition and took them board.

This Bill seeks to provide for same-day voting on the islands, as happens on the mainland. The reason voting takes place on the islands one, two or three days before voting takes place on the mainland is because in the distant past access to the islands was very difficult.

The Minister is from Cork and is no doubt aware that for many years islands such as Oileán Chléire, which was quite a distance from the coast and did not have the same type of piers as the Aran Islands or Inishbofin, always had same day voting and managed, miraculously, to transfer the boxes. I accept that Bere Island is very near inshore, as are Whiddy Island and others, but the Minister will accept that Oileán Chléire is as remote as any of the other islands when piers and ferry services are taken into account.

Notwithstanding the fact that Cork could transfer boxes, the Galway, Mayo and Donegal islands are still on a system of previous day voting. One is spoilt for choice in the Aran Islands in terms of air and boat services.

The issue of fog is constantly thrown in our faces. I understand the Minister is interested in sailing. As he knows if there is fog the water is calm and, therefore, boats can sail with no problem whatsoever. The reality is that there is more chance that boxes cannot be transported out of Wicklow than from islands.

It is also interesting to note what happened in Donegal during the last election, where the air corps was used to transfer boxes. The cost was absolutely minimal and I presume the decision was taken by the returning officer. This happened despite previous day voting having taken place.

In Oileán Ghabhla and Inis Fraoigh voting does not go on for a full day, something Deputy Pearse Doherty can confirm. Therefore, it is very easy to get the boxes off the islands. In the case where the Air Corps was used, the election took place during the winter and there was no problem transferring boxes to the count centre before 9 a.m.

The current provision is archaic and out of date. I have included the provision relating to the Donegal islands in my Bill because I have heard nobody complaining about the procedure there. I understand on one island the electorate comprises four or six people and on the other it is up to 20, and they have no difficulty with short day voting.

I ask for common sense to prevail. It is very important to recognise what the lack of this
procedure is doing. In order to facilitate people in rural areas, in particular, most elections now take place on a Friday - for many years general elections have taken place on a Friday. The reason is that many people in universities or institutes of technology around the country or those working away from Roscommon, Galway or wherever want, quite legitimately and as they are so entitled, to vote in their home constituency. People could leave work or a third level institution at 5 p.m. or 6 p.m. on a Friday evening and return to one’s home county in time to vote.

If one is studying in Dublin, for example, one can return to Kildare or Meath quite easily. However, if a high proportion of an island population worked or studied on the mainland during the week it would be very difficult in most cases to travel back to an island on a weekday. As we see every weekend, a large number of island residents return from places of study or work to their homes on the islands where they wish to vote. That is not possible if they have to vote a day early on a Thursday and it means that, above all communities in the country, it is hard to get a high turnout on the islands. The Bill seeks to ensure that this discrimination and barrier to turnout on the islands is removed in a simple way and that we ensure, using all the modern technology, ferry boats, aeroplanes and other facilities to be put in place, that we give the same basic rights to islanders as are afforded to everyone else in the country.

The most fundamental right gained through our independence was the right, through the ballot, to elect our own Oireachtas, to change our Constitution through referendum and directly to elect our President. To discommode any citizen by making it more difficult for him or her to vote is wrong. I hope the Bill is accepted and that we have all-party agreement on it. I hope that we can all agree to move forward together to ensure that off-shore islanders have the same electoral rights as those who live on the mainland.

Deputy Lisa Chambers: I welcome this legislation, which is long overdue. The Bill recognises that inequalities still persist for our island communities when they exercise their democratic right to vote. This representation has been made to me and many other Deputies in constituencies with island communities, including those in counties Mayo, Galway and Sligo.

The statutory provision the Bill seeks to amend is archaic and no longer fit for purpose and the law needs to move with the times. It is old-fashioned and represents a totally unacceptable infringement on the rights of island communities to exercise their democratic right to vote. That we would force some communities to vote earlier than everyone else because we think it will be more convenient for a certain few, although there is really no apparent good reason for doing so anymore, cannot be allowed to continue. This Bill represents an opportunity to make that change.

Why did we have the provision in the first place? When it was first introduced, we did not have the strong transport links we now have. Technology was a lot poorer and communications were a lot weaker and it was more difficult to ensure that the boxes would get to the mainland to be counted on the same day as everyone else’s votes. That is no longer the case. Vast improvements in communications and transport now ensure that we can get those votes to the mainland to be counted at the same time as every other vote.

We need to consider the negative impact on those communities in this situation. I have already mentioned the clear inequality: they are being treated differently to those living on the mainland. That is obvious. It is disrespectful to island communities that we would treat them this way. Let us be honest: probably because their numbers are quite few, their voices may not have been heard or listened to well enough in this Chamber in the past. Thankfully, Deputy Ó
Dáil Éireann

Cuív has given a strong voice to island communities for years. We were the only party in the 2016 election to provide a policy for island communities.

It is also important to recognise that these communities, when they vote a day or two before everyone else, are effectively excluded from the political debate for those last couple of days. Those last couple of days are crucial. That is when people make their minds up, when the debate intensifies and when people really focus on what they want from their candidate or political party. We are precluding those island communities from participating in that vital last debate.

As Deputy Ó Cuív has also pointed out, Friday voting has become the norm, and rightly so. It presents an opportunity for those living and working away to vote. Many is the time I travelled from where I was living back to my community in Mayo to vote. I never moved my vote. Many of those living in island communities work or study on the mainland. It is often not possible for them to go back to vote on a Wednesday or a Thursday, so we are making it extremely difficult for them to cast their vote, and unnecessarily so. Deputy Ó Cuív has already pointed out that there are many island communities such as those in Cork and Donegal whose votes are cast on the same day as those on the mainland. I do not see why this cannot be extended to all of the island communities along the west coast and beyond.

As I mentioned, transport and communications have improved. We need to recognise that we live in a more modern and progressive country and one that can facilitate voting on the same day as that of those on the mainland. We also need to send a clear message to island communities that we value their way of life and that we want to respect, maintain and support it. This has been sought for many years. They want to be treated the same and they should be treated the same. They are the same. They are as equal as any of us regardless of where they live.

Fianna Fáil remains a fierce defender of our islands and recognises the immense cultural value they bring to our nation. Living in these geographically remote locations brings a set of unique challenges. From dealing with some of the islanders off the coast of Mayo, I know that even simple things such as waste collection, transport to and from school and all the things that we take for granted when we live on the mainland are difficult for those living in island communities. They require supports, but they are hugely resourceful communities that never complain. They help themselves more than some people living in mainland communities. They very much appreciate all of the assistance that they do get, although in my view they do not get enough. They recognise that their numbers are few and in some communities are dwindling and sometimes it can be very difficult for them to have their voices heard and to ensure they are listened to in this Chamber.

The Bill will go a long way towards telling these communities that we care, that we listen and that we are interested in passing legislation that benefits island communities and helps them to maintain their way of life and stay as residents on those islands. If the day ever comes that those communities vacate those islands, we will be the ones that are sorry. I reiterate my support for the Bill and hope that we get cross-party support from around the Chamber because this is good legislation.

Deputy Charlie McConalogue: I join with my colleagues in supporting the Bill and commend, in particular, Deputy Ó Cuív for his commitment to the Bill, which is consistent with his tremendous commitment to island communities in his capacity as a Deputy and, previously, as a Minister. I know the Deputy has been pushing this legislation over the past couple of years. He first proposed such a Bill in May 2014, but it was not passed at that stage. However, Deputy
Ó Cuív has been tremendously persistent in terms of following through on an amendment and a reform which he believes, and I concur, is long overdue to our island communities and one that makes eminent sense.

As a Deputy from Donegal, I know that it is a move that would be very much welcomed. We have approximately 750 registered voters on the islands. In each election, voting takes place on Tory, Gola, Arranmore, Inishbofin and Inishfree. Unfortunately, too often it is seen at national level as a novelty or colour story the day before a general election. We can always be sure the media will be there. In some ways it is useful for tourism purposes because there are great pictures. We can be sure the regional correspondents will turn up and take the ferries out and it certainly brings a bit of media attention. However, it also shows the islands as being apart from the mainland. It shows they are required to stick to a tradition which was absolutely necessary in the past but is, thankfully, no longer necessary today. It is now an inconvenience for them, but also one that, in a way, detaches them. Too often they feel unnecessarily detached from services and what is available to those on the mainland.

With parties, Deputies and the Dáil taking a second look at the Bill, I hope it will be warmly welcomed, given strong consideration and is successful on this occasion and I hope, come the next general election, that those on the islands will be able to vote on the same day, at the same time and on the same basis as those at other polling stations throughout the country. There are different means of achieving this objective. Deputies Chambers and Ó Cuív noted that transport links are now such that this has become eminently feasible. The infrastructural reasons for having islands vote a day earlier are no longer valid.

It has fallen to Deputy Ó Cuív to take this Bill forward, which is appropriate given that no one in this Dáil and several of those which preceded it has been more committed to the islands. Island communities, not only in County Donegal but also elsewhere, owe the Deputy a great debt of gratitude for the work he has done on their behalf. He ensured, for example, that schemes were initiated to deliver funding for services on islands that had been ignored previously. There is no doubt that these services would not have been provided were it not for the commitment, persistence and political will Deputy Ó Cuív has shown.

I hope this minor reform, albeit one that would mean a great deal to island communities, will progress through the various legislative Stages. I urge the Minister to respond positively to the Bill and ensure it is implemented in good time for the next vote, whether a general or local election or a referendum. We want the media stories to be of regional correspondents travelling by boat to the islands to show how island communities will, for the first time, vote on the same day and on the same timeline as everybody else.

I commend the Bill to the House.

Minister for Housing, Planning, Community and Local Government (Deputy Simon Coveney): The Government will support the Bill. I understand the reasons Deputy Ó Cuív has introduced it and I am aware that he spends much time on islands off the west coast. I spend as much time as I can on islands off the south coast. The purpose of the legislation is to recognise that time has moved on in terms of access to islands. While acknowledging that people living on islands should have the same rights as people living on the mainland, living on an island is not the same as living on the mainland. Sometimes issues arise, for example, with bad weather causing ferries to be delayed or cancelled. This time last year, for example, ferries in Galway Bay were cancelled for two days in early December because of inclement weather. Access is
sometimes an issue.

With this Bill, Deputy Ó Cuív is, I believe, asking whether it is still appropriate that legislation should provide for up to five days of early voting prior to elections. I will discuss the issue of transporting ballot boxes to count stations in a moment. The core issue, however, is that the role of social media and the media in general in elections means that a great deal happens in the final 24 or 48 hours of election campaigns. It is no longer appropriate, therefore, that the 2,583 people currently listed on the register of voters for seven islands off County Cork, five islands off County Galway, three islands off County Mayo and five islands off County Donegal should be in a different category in terms of the information available to them when voting in a general or presidential election.

This decision will have consequences and we must be aware that it involves risk factors. From that perspective, the Government reserves the right to introduce some amendments to the Bill. The legislation does not cover European and local elections. If this change is being made, it should apply to all elections.

Issues also arise from the requirement that ballot boxes be at count stations by 9 a.m. on the morning after an election. If the priority is to ensure that people on islands can vote on polling day and have the same information as everybody else before casting their vote, we must also recognise that there may be consequences to having an election on a day in December, January or February. For example, severe storms could come in along the west coast on election day. We do not want to create unnecessary danger in terms of access to the island to ensure compliance with the law.

The Bill does not propose to change section 86 of the Electoral Act 1992, which allows presiding officers on islands to open the poll late if there is a good reason for doing so. Provided the poll has been opened for at least four hours, the presiding officer may make a decision to close the poll early to get a ballot box back to the mainland. Despite all the modern connectivity that is available on islands, whether helicopter or ferry access, we must recognise that the weather can sometimes be so ferocious as to make it difficult to access the mainland quickly and easily.

If the core issue is ensuring that people living on islands can vote on the same day as everybody else, I am with the Deputy on that. However, we need to have some flexibility and recognition regarding circumstances in which a severe storm on polling day might cause difficulties transporting ballot papers to the count. While these will be exceptional circumstances, legislation must offer the flexibility necessary to deal with such circumstances.

Last February, polling in the general election took place before polling day on the mainland in the case of the islands off counties Donegal, Mayo and Galway. Polling on the islands off County Cork was held on the same day. They are clearly ahead of the pack. This pattern was also followed for the 2015 referendums and 2014 local and European elections. The position before that was somewhat different.

Having been on Oileán Chléire, Sherkin Island and Bear Island on many occasions, I believe the populations living on these islands will recognise that the Bill is a move in the right direction. It is an important point of principle for them that they are being treated the same as everybody else. While the State must put in place arrangements to ensure that this legislation works, it should not beyond our capacity to do so.
In the context of islands generally, no political party has a monopoly of care for our islands. The previous Government specifically sought, for the first time under the Common Agricultural Policy, to help island communities by encouraging them to farm, keep livestock and so on. That process has worked well. Likewise, we introduced some new initiatives under the Common Fisheries Policy to encourage a new type of inshore artisan fishery and to promote and support many of the smaller operators. We invested significant resources in helping them to be more effective in that context. Priority must continue to be given to people who are living in very different and sometimes challenging conditions on islands. The core issue is that we need to keep people on the islands. If people leave island communities, the houses there will be turned into summer holiday homes and residences, which will mean people will no longer live on the islands for 12 months of the year. If we move away from that, it will be difficult to recreate it. We have valuable communities, great characters and valuable Gaeltacht areas. Island communities are an important part of rural, maritime and coastal life in Ireland, as my colleague, the Minister of State, Deputy Seán Kyne, with responsibility for supporting and protecting these communities, knows only too well.

The Government will support this legislation, although we will need to tease out and have a practical discussion on some of the consequences of what is proposed in it. The core issue is that we are responding to the case being made that people living on islands should vote on the same day as everybody else and, when they vote, should have available to them all the information available to everybody else. As far as I am concerned, regardless of whether the number of people involved is 2,500 or 10,500, the principle is the same. We will need to put in place arrangements, perhaps, by way of amendments, to ensure there is legal flexibility to deal with the move to managing a vote fairly for everybody and to streamline the count process. For example, we will need to ensure that a presidential election count is not delayed because of delays in getting ballot boxes to count stations from an offshore island.

I thank Deputy Ó Cuív for this legislation and I look forward to teasing out the issues on Committee Stage. I presume the Bill will move now to the pre-legislative scrutiny process but I suspect we can move it through the process relatively quickly to ensure we have legislation in place by the time the next election takes place.

**Deputy Éamon Ó Cuív:** I accept it will have to go through the pre-legislative scrutiny process but I presume the principle of the legislation is not in dispute.

**Deputy Simon Coveney:** There is no dispute from Government in relation to it.

**Deputy Éamon Ó Cuív:** I accept that.

**Deputy Simon Coveney:** We just need to ensure we guard against some of the practical consequences of it. While the Deputy can rest assured that we will help him to get this Bill through the various Stages and enacted, some targeted amendments will be required to ensure it functions properly.

**Deputy Éamon Ó Cuív:** Go raibh maith agat.

**Deputy Pearse Doherty:** Tá mé iontach sásta a bheith ag caint ar an mBille seo. Molaim an tAire. Ní hé, ní an tAire atá ann. Is é sin an dara huair. Caithfidh go bhfuil rud éigin san uisce.

**Acting Chairman (Deputy Eugene Murphy):** Deputy Ó Cuív is destined to become a Minister again.
Deputy Pearse Doherty: Molaim an Teachta Ó Cuív, ba chóir dom a rá. Nuair a bhí achtach duine ag caint faoin mheid is a bhí sé ag déanamh don oileán, bhíomar ag smaointeach ar an am a bhí sé ina Aire.

Déarfaíonn le hachar duine, go háirithe iad siúd atá sa Rialtas blianta anuas, RTÉ a chur ar siúl oíche Déardaoin ag 10.15 i.n. agus amharc ar an scannán "Atlantic". B’fhéidir nach mbeidh báill an Rialtais ag déanamh an oiread sin boscaireachta ó thaobh an mheid tacaíochta a thugann an Rialtas do mhuintir na n-oileáin nuair a fheicíonn síad céard atá ag tarlú ansin i gcúrsaí nasaireachta, go háirithe do mhuintir Árainn Mhór amach ó chósta Dhún na nGall, atá le feiceáil sa scannán sin. Mholfainn do dhúine ar bith atá ag éisteacht amharc ar an scannán sin atá ag dul amach ar RTÉ Déardaoin.


Mar a dúirt mé go mion is go minic sa Teach seo, sílim go bhfuil cearta bunreachtúla mhuintir na n-oileán á sárú ag an Rialtas. Ní hamháin nach bhfuil an deis acu an vóta a chaitheamh ar an lá céanna, ach de shiocraí an moill a bhí ar oifigigh an Stáit an dáta a ainmníodh do na hoileáin, ní raibh an deis ag cuid de mhuintir na n-oileán vóta a chaitheamh tríd an bpost. Bhí an bhearn ansin de 12 lá, taobh amuigh de Dé Domhnaigh agus laethanta saoire, thart sula raibh a fhios ag muintir na n-oileán cén lá ar a raibh a fhios an Rialtais le caitheamh ar an oileán. Thiocfadh le duine a rá gur chóir go mbeadh a fhios acu, ach astraionn na dátaí a tháirgeadh. Luadh é le mo chontae féin, Contae Thír Chonaill, an contae is mó atá thíos leis ina bhfuil cúig oileáin nach bhfuil an ceart acu an vóta a chaitheamh ar an lá céanna: Toraigh, Inis Fraoigh, Inis Bó Finne, Gabhla agus Árainn Mhór. In 2011, bhí naonúr ar chlár an vóta in Inis Fraoigh, ach bhí níos mó ná 500 duine ar Árainn Mhór. Tá cuid acu iontach beag le pobal beag ann, ach cuideachtaí móra nuair a bhí mé féin a plé in 2011.

In 2011, bhí ar mhuintir Árann Mhór vóta a chaitheamh fá choinne an toghcháin ghinearálta dátháráidh an lá réitithe ar an toghcháin féin. I mbliana in 2016, lá amháin a bhí ann. Bhí rudai ag athrú agus ní raibh cinnteacht ar bith cén lá a bheadh ann. An rud a tharlóidh ná go dtíteadh an Dáil agus bheadh an ordú tugtha gurb é seo an lá leis an vóta a chaitheamh an ghnáth, mar a dúirt an Teachta Ó Cuív. Dé hAoine a bheadh ann, mar shampla. Bhí bheartaí a fhios ag muintir an oileáin an mbeadh siadsan ag caiteamh a vótaí Dèardaoin nó Dè Céadaoin. Má tá duine ar siúl ag siúl as baile, ag iascaireacht nó radharc mar sin agus ag iarraidh dul ar chlár an vóta poist, níl siad ábalta é a chuid mhóir mar go gcathadh sé a rá go soiléir sin go bhfuil siad ag siúl as baile ar an lá atá an vóta le caiteamh. Muna bhfuil an fhios ar an lá atá an vóta le caiteamh, feidir leis oir i stíl teach ar an liosta. Is é sin an fáth a shílim go bhfuil an Rialtas ag cur in éadan cearta bunreachtúla an phobail sin.
Mar a dúirt mé, is dea-scéal é go bhfuil an Rialtas sásta leis an mBille seo. Nior tháinig athrú millteanach ar an saol le bliain anuas agus níor tháinig athrú millteanach ar an saol ónár thosaigh mise ag ardú an ábhair seo in 2011. Nuair a tháinig an saol le bliain anuas agus níor tháinig saol ónár thosaigh mise, níor tháinig an saol le bliain anuas agus níor tháinig an saol ónár thosaigh mise. Tá sé ag cur bás do an mBille seo mar gheall ar chumas na bpictiúr. Tá sean-phictíúir galánta de dhuine de chuid Raidió na Gaeltachta, Conall Ó Dubhthaigh, ag dul ar an mbád ar a bhealach isteach go dtí ceann de na hoileáin. Tá sé ag cur bás agus tá canvas nó rud éigin thar an bosca vótála. Is é sin an áit gur chóir go mbeadh an cineál rudaí sin fáithgá - sa sean-am. Ni chóir go mbeadh muintir na n-oileán ag vótáil roimh muintir na mórtíre. Má amharctar ar na diospóireachtaí móra a bhí againn nuair a thoghadh ár n-Uachtarán agus an rud mór a tharla i stáisiún RTÉ, nuair a d’fhás an Rialtais amháin go raibh sé ag glacadh airgid ó chinntiú ón Bhreatain Mhór, d’athraigh sé intinn chuid mhór daoine. Dá dtarlódh sé sin dhá lá amach as lán an vótáil, bheadh an vótáil fós caite mar a bhí ag go leor daoine ar an oileán.

Cuirim fáilte roimh athrú intíne an Rialtais. Tá súil agam go leanann sé ar aghaidh agus go gcuireann muid níos mó polasaíthe atá déanta ó thaobh na n-oileán i bhfeidhm. Ceanneachas na rudaí atá aige san álladh aíse ó shin féin san álladh aíse faoi chearta mhuintir na n-oileán. Is iad an t-abhróidh don bás ar a bhfuil comhcheart léite agus do thoil don bás ar a bhfuil comhcheart léite. Is é sin an áit gur chóir go mbeadh an cineál rudaí sin fáithgá - sa sean-am. Ni chóir go mbeadh muintir na n-oileán ag vótáil roimh muintir na mórtíre. Má amharctar ar na diospóireachtaí móra a bhí againn nuair a thoghadh ár n-Uachtarán agus an rud mór a tharla i stáisiún RTÉ, nuair a d’fhás an Rialtais amháin go raibh sé ag glacadh airgid ó chinntiú ón Bhreatain Mhór, d’athraigh sé intinn chuid mhór daoine. Dá dtarlódh sé sin dhá lá amach as lán an vótáil, bheadh an vótáil fós caite mar a bhí ag go leor daoine ar an oileán.

Mar a dúirt mé, is dea-scéal é go bhfuil an Rialtais ag glacadh leis an mBille seo. I am sure the Minister has followed much of my contribution. It is a welcome development. I have raised it since 2011, just after getting elected. I am passionate about this. The Government and many Governments down the line were open to a High Court challenge because of the rules on registration for a postal vote. One had to do so 12 days before polling day, with Sundays and bank holidays excluded. Owing to the delay in designating polling days for many of the islands, there is a problem. It does not happen at the same time. Sometimes it takes more than a week before an island knows the designated day. Islanders could be outside the timeframe that would allow them to say they would be in Dublin working with their employer on the Thursday or Wednesday if it were to be designated as the polling day. Therefore, they cannot legally get to vote. Voting is one of the most fundamental and basic rights. Nobody has ever taken a case. Thankfully, the legislation is now dealing with this issue.

The Minister referred to the details. Deputy Ó Cuív has left in the legislation the provision that allows for the shorter days. That is sensible. We need to be practical. If anything, islanders are practical. Off the coast in my county, Donegal, there are five affected islands. Toraigh, Inis Bó Finne, Gola and Inishfree have only a four-hour window for voting, that is, between 11 a.m. and 3 p.m. Aranmore has a longer window because of the size of its population. That window is from 10.30 a.m. to 7.30 p.m. Again, voting finishes earlier than on the mainland. This would assist in getting the boxes back to the mainland but what has happened to communities for many years is an injustice and does not make any sense.

I never understood why the Government resisted attempts in this regard when we were amending legislation that went through the Houses last year and previous years. The same type of legislation as in this Bill was presented but, for some reason, the Government could not accept it. This is just a simple matter. There are enough problems in the world, our little country and people’s lives without making more. This is a simple matter we should have fixed a long time ago. It will not cause any major upset. If the Air Corps cannot get the box off the island,
so be it; we will just have to wait a wee bit. The islanders should have the same rights and entitlements as everybody else.

I welcome the fact that the Government has decided to support this legislation, albeit later than we would have liked. I am glad it will work to see all Stages passed. That is the right approach. If the Government had the numbers, I am not convinced it would be passing this legislation, just as it did not pass similar legislation last year.

**Deputy Simon Coveney:** The Deputy is wrong in that.

**Deputy Pearse Doherty:** I am glad to hear that. Maybe it was just the Labour Party influence in government just less than a year ago that resulted in a Cabinet decision not to support the amendments. The Bill is a positive step forward; there is no doubt about that.

There is no automatic requirement for any legislation to be subject to pre-legislative scrutiny. I acknowledge there are issues with the Bill. I believe they are minor but they require amendment, as in the case of local and European elections and the ballot box having to be available at a certain time the following day. Those matters can be dealt with on Committee Stage. The Bill is short and focused and I am sure it has universal support here. Tying up a committee with pre-legislative scrutiny is not warranted in this case. One never knows but that there could be an election before the Minister or Deputy Ó Cuív desires. My intention is to make sure the people of Gola, Toraigh, Inishfree, Inis Bó Finne and Aranmore not only vote for me but do so on the same day as the rest of the people, those on the mainland, vote for me.

**Acting Chairman (Deputy Eugene Murphy):** The Deputy has started canvassing already.

**Deputy Paul Murphy:** I am afraid there is nobody on any island who has the right to vote for me. I am sure they would if they could.

We support this Bill. We welcome the fact that the Government said it will not oppose it and that it agrees with it. I hope it will be implemented as soon as possible. What is at stake is equality and democratic rights. In this day and age, when it is not necessary to have earlier polling days in order to return ballot boxes on time, there is an infringement of people’s democratic rights. Islanders and all voters in the State should benefit from campaigns of the same length and have the same time in which to deliberate. Obviously, it is the case that many people change their mind or make up their mind in the final few days of campaigning. People should have the right to exercise that choice throughout a campaign. Effectively, early voting on the islands arbitrarily designates entire communities as early voters, thereby infringing on their democratic rights.

Obviously, the Bill is open in terms of finding practical solutions to ensure ballot boxes can be transported, etc. There clearly are solutions these days, including helicopters, to all the problems. In a worst-case scenario, the counting or declaration of the count could simply be delayed to ensure people’s democratic right to vote on the relevant day takes precedence.

With regard to other elements of electoral reform that need to be implemented, there were extensive discussions at meetings of the previous Dáil’s environment committee, in which Deputy Coppinger took part, dealing with the need for an electoral commission, for example. A range of electoral reforms need to be implemented in this State, including the reform of postal voting, which is very restricted for everybody, including voters who may be out of the State on a holiday booked before an election is called. Reforms should address the disenfranchised, votes
for 16 and 17 year olds, the extension of votes to non-Irish citizens, more accurate electoral registers produced on a rolling basis and an easier means of registration.

The treatment of islanders as second-class citizens in democratic elections by having them vote earlier than those who live on the mainland is a reflection of the treatment of people on islands in general. In the past week, the residents of Inishmore were held to ransom by a profitable private operator who objected to an 80 cent levy per passenger. This resulted in the withdrawal of a vital service at the operator's whim. The circumstances see a local council under pressure to raise funds through such levies due to extensive austerity cuts over the years by central government. The issue is obviously ongoing.

I welcome the fact that the residents of the Aran Islands are active and vigilant on the issue and will not tolerate interference with their right to transport. There should be public provision of transport when the private sector is unable and unwilling to provide an affordable service for our island communities. Last year, in a similar vein, we saw the residents of the Aran Islands object to the ending of the provision of air transport to the islands, the alternative being a helicopter service which would have operated from the east of Galway city, far away from where the ferry operates, and from an area with a strong connection to the islands. Thankfully, the islanders were successful in their campaign of opposition. This indicates that as long as transport services are provided on a for-profit basis and are not provided on the basis of the needs of communities coming first, we will face these problems time and again.

Broadband provision on the islands is a real issue. Investment in high-speed, reliable broadband should be a priority for the Government. It would have a knock-on effect on access to education and medicine and it would allow people to work remotely on the islands. What is occurring forms part of the wider neglect of the west and the Gaeltacht in particular. Many in Gaeltacht communities have rightly come to the conclusion that this Government and its predecessor are hostile to them. They can see that from the 39% cut to Foras na Gaeilge since 2001. This takes inflation into consideration. Údarás na Gaeltachta has had its capital budget cut by 73% from €22.5 million in 2007 to €6 million in 2013. At the same time, IDA Ireland and Enterprise Ireland budgets were increased. The question that the Government, which is a continuation of the previous Government in many senses, must answer is why Gaeltacht communities were picked out for savage cuts at a time when investment was needed to increase and develop sustainable employment.

Capitalism as a system and austerity as a policy have failed the islands, the west and the Gaeltacht. The State is not serious about economic development in those areas. Instead, it prefers to facilitate easy profits for big business in the east while the need for investment, transport and employment in island communities is not a priority.

We welcome the Bill and hope that it passes as quickly as possible. I echo the comments about pre-legislative scrutiny being unnecessary. Many of the issues could easily be ironed out on Committee Stage, thereby hastening the Bill through the Dáil and its enactment. It is only a small part of the wrongs that need to be righted in terms of providing equal treatment to islanders in all respects.

An Ceann Comhairle: Next is Deputy Connolly, who proposes to share with Deputy Pringle.

Deputy Catherine Connolly: Níl drogall ar bith orm mo chuid tacaíochta a thabhairt don
Deputy Thomas Pringle: I welcome the opportunity to contribute on this debate. I congratulate Deputy Ó Cuív on introducing this worthwhile Bill. Interestingly, previous Governments refused any amendment that would have changed voting times on the islands. It should not be an issue in this day and age, given the availability of modern transport. For example, a helicopter travels to Tory Island every day during the winter months. There is no reason, and has been none for many years, that voting cannot take place on the islands on the national polling day whenever the next election is called. Indeed, that islanders must vote in advance of the rest of the population has been a bone of contention for many years. A couple of elections ago, islanders voted on a Wednesday when the election was taking place on a Friday. It made no sense.

We should have made this decision before now, but it is good to see this Bill. The five islands in Donegal where voting occurs - Tory, Gola, Inishfree, Inishbofin and Arranmore - look forward to being able to vote on election day. That is vital. Nothing in the Electoral Acts mean that the islands cannot vote on the assigned polling day.

The Bill will pass on to Committee Stage, when I will take the opportunity to raise a matter that I have referenced a number of times, namely, the ability of fishermen to vote. They are in a unique situation. They can register for postal voting, but they may be fishing when their votes must be posted and, as such, would not be able to do so. They could be ashore on polling day only to find that they did not vote because they had registered as postal voters. We should be able to find a mechanism that allows them in the week or ten days before polling day to cast their votes in local Garda stations where ballot papers and ballot boxes would be available so that they might participate fully in the electoral process.

I will offer a selfish anecdote in this regard. I remember how 14 or 15 fishermen from Killybegs went to sea the day before one polling day. Their votes were lost, not only for me, but for everyone. Due to their occupation, fishermen cannot rely on being ashore when voting must take place. I will consider proposing amendments on Committee Stage to try to rectify this situation.

I welcome this important Bill. That it is being accepted is a positive step. I look forward to its enactment, hopefully in time for the next general election, so that we will see the islands across Donegal and the rest of the nation voting on polling day along with everyone else.

An Ceann Comhairle: Is é an Teachta Mattie McGrath an chéad urlabhra eile.
Deputy Mattie McGrath: Apologies for being out of breath. I support the Bill and compliment An Teachta Ó Cuív. This is only about fair play. We hear much about equal rights, human rights and everything else, so why should island populations be discriminated against? They are entitled to have their say just like everyone else. We encourage them to do so. It is important that they have it at the same time as everyone who casts his or her vote. Given that this is a small country with a limited number of islands, the Bill is badly needed.

I am slightly disappointed, as An Teachta Ó Cuív could have included the issue of disabled access to polling booths in the Bill. Islanders are disenfranchised because they do not have votes on the islands, but some people in my constituency cannot vote because polling booths are not readily accessible. In November, I encouraged people to register before the closing date. I always try to do that so that they can have their say. I also ask them to pass on information regarding whatever special requirements they might have. The powers that be, the councils and those responsible, might not be aware. Even where they are aware, people have still needed to request special access election after election. That is not right. If someone is in a wheelchair for one election, he or she will not be out of it for the next thanks to some miracle treatment. These people need to be looked after. It is a question of our democracy, having the right and chance to vote and having equal access.

I am also considering legislation. On the day that the former Minister, Mr. Phil Hogan, banished the local democracy of our town, urban and borough district councils, no Deputy objected to the Bill except me. People spoke on it, but no vote was called. It was a major disenfranchisement and had an impact on people in the areas involved. For example, my area of Clonmel and other towns in Tipperary lost their councils. People had rightful expectations. We voted in local elections in 2009. On the same day, we voted to hold such elections every five years. At that stage, they had been put off for eight years. I lost my seat in 2001 and would have had to wait until 2009 to run again. This has been covered by legislation.

9 o'clock

I know I am straying a small bit, but with your permission, a Cheann Comhairle, I might continue as we are ahead of time. We were told it would be put into legislation. People voted to have local elections for urban district and town councils. People had the expectation that the system would be changed and that at least there would be a vote. I brought up the issue in the context of the programme for Government. Bhí an tAire Stáit, Deputy Kyne, anseo freisin at the talks and it was supposed to be in the programme that we would look at restoring the borough councils in the first instance. There were only nine of them in the country and we wanted to increase the number to 11. It was decided that there would be a plebiscite in those areas, and if people wanted them back, they would vote for them but there would be no cost to the State. That was a fair and reasonable position and I would like to know the status of it now. Perhaps we need other legislation.

Thank you for your forbearance, a Cheann Comhairle. I will defer to my colleague, Deputy Michael Collins, who is more familiar with the islands as he has to travel to them every so often to meet his flock, but that is probably the wrong word - his constituents.

Deputy Michael Collins: I welcome Deputy Ó Cuív’s Bill which will ensure all islanders will be allowed to vote on the same day as the rest of the country. I am very pleased to see there is a political interest in island communities and the issues that matter to their residents. The islands are very important to the country in terms of their beauty, tourism, culture, arts, heritage
and natural resources. I hope tonight’s debate will spark increased interest in the islands and the needs of their communities, such as the need for high speed broadband, improvements to education, a ring-fenced annual infrastructural fund, and a unified health care strategy.

Although the Bill does not affect the islands in my constituency, as Bere Island, Cape Clear island, Dursey Island, Heir island, Whiddy Island, Long Island and Sherkin island already vote on the same day as the mainland, the Bill is very important for the islands on the west and northwest coast. Voters living on those islands in Galway, Mayo, and Donegal traditionally voted two or three days before polling day, but in 2014 the gap was narrowed when they voted just one day beforehand. I fully support the gap being closed altogether and allowing the islanders to vote on the same day as the rest of the country. While the goal of early voting is usually to increase voter participation and relieve congestion at polling stations on election day, the opposite seems to be the case with island communities. The early voting legislation is outdated and no longer applicable. Early voting for island communities can deprive those who are not ordinarily resident on the islands, such as students, the opportunity to vote. It is very difficult for young people from the islands studying on the mainland to return home on a Thursday to vote, and often that results in them not voting. This outdated legislation could be seen as discriminatory and could also be considered as damaging to the democratic process. Issues concerning travel and transport of the votes are no longer applicable as most islands have brilliant ferry services and some also have air services. It is important that the Government supports the ferry and air services not just for elections but throughout the year as they provide a priceless service to islanders and help to keep islands sustainable.

I have seen excellent work throughout many of the islands in west Cork, for example, in Cape Clear and on Dursey Island where they fight to keep their cable car and to get it upgraded. Housing is also an issue on the islands. I attended a meeting recently on Bere Island where people spoke about the need for a housing programme. We never think of the islands when we talk about housing. We think of relocating people to the mainland. Those are serious issues for islanders and I support the positive move behind the Bill. Islanders throughout the country will be happy with it. I support the Bill progressing through the House.

Deputy Eamon Ryan: I am very honoured to be able to make a short contribution to this debate. I am very pleased that Deputy Eamon Ó Cuív has introduced the Bill as we have a common interest in many of the islands. I remember opening a pier in Inis Meáin when I was previously in government. I am also familiar with Inishbofin where I would be shamed forever if I did not get to speak on the introduction of the Bill.

We support the Bill and the development of the islands. They are hugely significant places in the national psyche and culture. In some ways that is the case because they are measurable. The very nature of the geographic limits that exist on islands mean the communities are in some way set aside and it behoves us to look after them and to develop them as an example of what we can do in every community in the country. The proposed Bill is important in terms of how we treat islanders in the democratic electoral system, but it should be symbolic of a wider investment that we are willing to make.

It behoves us in particular to look at how we can create work on the islands that would allow their communities to grow. The population on too many islands has shrunk. There has been a consistent decline in island populations in the past 150 years. If we could turn that around and show how we could create an economic model of development on the islands, it could provide us with a model we could use elsewhere.
I know very well the island of Inishbofin off the Galway coast, not the Donegal Inishbofin. It is an interesting place. The great Green economist, Richard Douthwaite, who knew the island, always saw it as an example of how we could measure sustainability. In a sense, one can measure everything going on and coming off the island. The islands were very self-sufficient until recent years but now they import a huge amount of their basic needs for everyday life. We must investigate how we could turn the islands into models of sustainable economic development and create a mixture of jobs in tourism, fishing, farming and digital services where distance does not become an issue. We could measure and be scientific in devising a model that could apply in every community, in particular in the west, south west and north west. We must invest in that but we must be clever in the investment. It is a case of investment in people more than anything else. Island people have great capability and flexibility. They can turn their hand to a whole variety of different tasks. I refer to fixing things, engineering, farming, fixing engines and looking after visitors all in the one day. We must nurture, develop and protect the skills island people have.

I am very pleased to say a few words on behalf of the Green Party in support of what Deputy Ó Cuív is trying to do. I look forward to the growing prosperity of the islands. We live on the west coast of Europe, the very edge of Europe, but we must not see it as the periphery, the backward end of Europe but the cutting edge of Europe. The islands are a fantastic place to live and there is a very strong, welcoming culture. We must get this right because it could be a symbol for how the island as a whole could be developed. We are all island people. Looking after the islands is the first step in looking after the entire island of Ireland.

Deputy Dara Calleary: I wish to share time with Deputy Pat The Cope Gallagher.

An Ceann Comhairle: Is that agreed? Agreed.

Deputy Dara Calleary: I congratulate Deputy Ó Cuív on tabling this motion. His timing turned out to be quite prescient when one considers the events that happened on Inis Mór last weekend. The issue of voting highlights the isolation of the islands and the events of last weekend show that it is not just something that happens at election time and that the isolation of islands can be a factor at any given moment, in particular at this time of year.

It always strikes me as odd that islanders go to polling stations in many cases three or four days before polling day. It means they miss the last few days of a campaign and the notion of having a media moratorium is a complete joke given there is no moratorium to allow islanders time to think about their choice free from the barrage of media coverage of any given election. The time has come to give the flexibility to returning officers to make the call, that if conditions are conducive then the people of the islands can vote on the day of the election like people in any other part of the country.

As a country we do not treat islanders particularly well, which is ironic as we are an island nation. The proposer of this motion can take enormous credit for the role he played as Minister for Community, Rural and Gaeltacht Affairs and as Aire Stáit do ghnóthaí Gaeltachta. He is somebody who put his money where his mouth is in terms of investing in islands and island communities and trying to put some sort of sustainable basis in place for communities to grow. It is to his credit that many of the infrastructural investments and social decisions were taken to sustain island communities but we need once again to renew our interest in the islands. I welcome some of the announcements in the budget, particularly in respect of education and reversing some of the worst cuts made by the previous Government.
I caught the end of Deputy Eamon Ryan’s speech. We have to lay out a sustainable future for our islands, be it in tourism, some form of fishing or some type of new enterprise that could use wind energy as a basis for island-produced power and to export any excess energy. This debate is giving us the opportunity to reflect on the islands and their economic future.

It also gives us a chance to talk about voting and voting systems. On a dark February night during the general election, I was taken aback by the number of polling stations I visited after 6 p.m. that were very difficult to access because there were no outside lights. If we, as candidates, find polling stations difficult to access, how do voters, including older people, find them? During the rush-hour period from 8 p.m. to 10 p.m., many polling stations are quite dangerous as cars converge in the dark of the night. The time has come to lay out a basic standard for polling stations that will apply at all times of the day in terms of their exteriors and interiors, to which we pay a lot of attention. It is bizarre to think that we have rules that say one cannot put up a poster outside a polling station, yet we do not have rules to say that there should be exterior lights to allow voters to see where they are going as they enter. It is bizarre to think that one is not allowed to take a photograph in a polling station but that one must use the light on one’s phone in order to make one’s entry. We seem to have the rules in the wrong places. The time has come to ask why we still use schools as default polling stations. Why do we close down our entire school system for a day when there are community halls, post offices and other facilities available? I am sure that with that kind of income for a day, post offices in rural areas would open their premises and allow available space to be used as an appropriate polling station.

Be it on an island or on the mainland, there are many issues with our voting system. We need a national voting authority. The notion of every local authority having responsibility for voting within its area is ancient. In respect of a national system with registration being far easier and the use of online technology in terms of registration, I still prefer the peann luaidhe, as a former Taoiseach put it, in terms of voting and counting but we must embrace the 21st century in terms of how we vote - not just for island communities but elsewhere. As an island nation, we cannot stand up for our rights and complain that we are ignored when we ignore those islands off our own coast on a daily basis.

Deputy Pat The Cope Gallagher: Ba mhaith liom tréaslú le mo chomhghleacaí, an Teachta Éamon Ó Cuív, as ucht an Bhille seo a thabhairt os comhair na Dála. Tá áthas orm go bhfuil an Rialtas sásta glacadh leis an mBille seo. Agus mé ag éisteacht leis na hurlabhraithe ó na páirtithe eile, tá áthas orm go bhfuil siadsan sásta glacadh leis freisin agus ligean don Bhille seo dul go dtí an chéad Chéim eile.

Tá an-taithí agam ar na hoileáin i nDún na nGall. Idir toghcháin rialtais áitiúil, toghcháin Dála agus toghcháin Eorpacha, throid mé 15 toghchán thar na blianta. Bhí na hoileáin i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chontae i mo chonta
area of Glenties, the Dáil ceantair of Donegal South West, Donegal as it is now or indeed my
European Parliament constituency - Arranmore, Inishbofin, Inishfree, Gola and Tory - will be
addressed by this Bill. It never made sense to us, particularly in recent years when the mode
of transport to the islands has become so different to what it was - even in 1979 when I stood
for election to the council. I was in and out to the islands on half deckers late on winter nights
but this does not happen anymore. Why should the islanders be deprived of a full election
campaign right up to midnight on the night before polling day? I recall one election that took
place on a Friday but the islanders voted on the previous Tuesday. Successive Ministers for the
Environment insisted that voting had to take place a few days beforehand. The existing practice
of voting early on the islands is totally outdated and dates from a time when we did not have
the transport options that are available now - be it a helicopter to Tory or ferries to Arranmore
and the other islands. We have moved on. The system of voting to which I refer has been in
place since the time when there were only two types of media, namely, the national newspapers,
which might not reach the islands every day, and RTE Radio One. This was long before Raidió
na Gaeltachta came into existence.

I am delighted that we have moved on and that the Government is accepting Deputy Ó
Cuív’s Bill. When one considers that voting was on Wednesdays or Thursdays, how could stu-
dents have the opportunity to vote? They had to return from college in order to do so. Those
who worked on the mainland had to return to the islands. Between now and Committee Stage,
we should think of something innovative and consider another type of postal vote for islanders.

In the presence of the Aire Stáit na Gaeltachta, I cannot let the opportunity to talk about Cé
an Rannaigh on Arranmore pass. Of course, we can all be responsible for not providing fund-
ing but after all the infrastructural works that have been carried out over the years, the Minister
of State should consider Cé an Rannaigh on Arranmore. Go to any of the islands where they
have boithre áise. There is not a pingin rua to be spent on the boithre áise. What are the most
important roads? They are not the primary or secondary roads or the motorways. They are im-
portant but to any individual, the most important road of all is the road leading to his or her land
or house. The Minister of State should make a name for himself and challenge the Department
of Finance together with the Minister of State, Deputy Ring, who announced - in a blaze of
publicity - a new CLÁR programme that does not provide money for any of the local improve-
ment schemes. We are proud of our time in government, when I had responsibility for those and
ensured we had the highest ever funding. This is not just about voting. It is about the develop-
ment of the islands and it is the Minister of State’s opportunity to make a small contribution.

Minister of State at the Department of Arts, Heritage, Regional, Rural and Gaeltacht
Affairs (Deputy Seán Kyne): Cuirim fáilte roimh an mBille seo agus an obair atá déanta ag an
Teachta Ó Cuív chun an Bille a ullmhú. Tá sé ag smaoineamh agus ag labhairt faoin ábhar
seo ar feadh na mblianta agus táim suas go bhfuil an Rialtas ag glacadh leis an mBille.

I commend Deputy Ó Cuív on his preparation of and work on this Bill and on his interest in
the issue. As the Minister stated, there will be a need to introduce amendments on Committee
Stage in respect of the fact that the Bill does not provide for the discontinuation of early voting
in the case of European and local elections. Obviously, the central reason behind allowing early
voting was weather conditions and the view that ballot boxes had to be returned to constituency
count centres by 9 a.m. on the morning following polling day. That is the reason these things
were introduced all those years ago.

As Deputy Ó Cuív stated, there have been improvements in the ferry services to the islands
in recent years, notwithstanding what has happened recently - I will mention that in a minute. Obviously, Deputy Ó Cuív made considerable investment when he was a Minister. I am happy the Government has been able to allocate €8 million for Inis Oírr, starting with an allocation of €2 million in 2017. The Taoiseach has taken a great interest in that project and wants to go there for the turning of the sod as soon as possible. We must remember the Galway County Council director of services Liam Gavin who died tragically recently. I know he had overall responsibility for the area of roads, transportation and the marine.

Same-day voting has taken place on the islands off the Cork coast for some years. On the islands off the coast of Galway, Mayo and Donegal, polling has taken place on the day before polling day in the most recent elections, February’s general election, the 2015 referendums and the 2014 local and European Parliament elections. This is a sensible change to reflect the modernisation of transportation services.

I was interested in some of the points Deputy Calleary raised about the quality of polling stations. There are often newspaper notifications of a number of polling stations that are not accessible and wheelchair users need to go elsewhere, which given all the regulations in this day and age should be ruled out. It is also eminently sensible to have basic outdoor lighting at any polling stations. Obviously, most of the polling stations are schools and I would have thought they would have had such lighting irrespective of their use as polling stations as they are also used for public meetings, get-togethers, playing 25 or whatever goes on there. Perhaps the Minister of State, Deputy Ring, can take that up. As part of Deputy Ó Cuív’s original CLÁR programme there was investment in school flashing lights and the Minister of State, Deputy Ring, made further announcements recently.

On the issue of the peann luaidhe and electronic voting, I believe someone in Russia once said that it was not the people who vote that matters, but the people who count the votes. Irrespective of whether that is the case, in certain counties in Wisconsin where there was electronic voting there was a higher vote for the winning candidate than there was in counties that did not use electronic means. I have my suspicion about it, but I think our system works well in that regard.

Regarding Deputy Gallagher’s comments on the islands, clearly there is a need for extra funding and I was pleased to be able to allocate €600,000 from the Department to improving roads on our islands and I hope to be able to continue that into the future.

There has been some commentary about the situation in Inis Mór. It was not a lack of money or anything in my Department that resulted in the cancellation of the ferry. The Department does not have a contract because it was negotiated that the operator was to provide a service to that island without a subsidy because it is a profitable route. Without going through all the history, the issue related to charges and running costs by Galway County Council on the new pier. Thankfully, talks I had with the CEO, Kevin Kelly, the operators and Bertie Ó hAinmhire from an Roinn Ealaíon, Oidhreachta, Gnóthai Réigiúnach, Tuaithe agus Gaeltachta resulted in the ferry continuing until 4 January. The talks will resume on Friday to try to solve something that has been kicked around and has gone through the courts for a number of years with Galway County Council. Nothing that an Roinn Ealaíon, Oidhreachta, Gnóthai Réigiúnach, Tuaithe agus Gaeltachta did resulted in the loss of the ferry to Inis Mór.

However, we need to ensure that it does not happen in the future and the islanders get the service they deserve and get certainty on a winter service. From 2017 on, we will explore
grouping the three islands under one contract - irrespective of whether it is PSO. In the new year, God willing, I intend to initiate a discussion process with the island communities to see what their wishes are regarding the services for the three Aran Islands. The existing contracts for Inis Oírr and Inis Meáin conclude at the end of October 2017. As we will have to start a process for them, we will see about amalgamating the three islands under one contract.

The air service has been mentioned. The Office of Government Procurement is in the process of examining tenders. I expect a recommendation to my Department regarding a contract very soon. I know there is ongoing communication between the Office of the Attorney General and the Office of Government Procurement. I expect letters to go to the successful and non-successful tenderers shortly.

There have been other developments. Obviously, there is a helicopter service to Tory. The former Minister of State, Dinny McGinley, put funding into a new helipad, which I believe will be complete with lighting provided in the new year. We hope to have an official opening of that and we were happy to accommodate an improved service there in conjunction with the HSE whereby there was a service once a fortnight in the winter, which has now been increased to once a week. That is a welcome development.

The premise of Deputy Ó Cuív’s Bill is that islanders should have the same rights as those elsewhere with which I agree. I know that the Minister, Deputy Coveney, has a great grá for the seas as Deputy Ó Cuív pointed out. When this Bill came before the Minister and he discussed it with me, he was certainly of the view that it should be accepted. Perhaps other Ministers were not of the same view, but they might not have the same feel for the situation as has the Minister, Deputy Coveney.

I certainly welcome the Bill. Will there ever be problems? Will a ballot box ever be late from here on in? I cannot say. As Deputy Gallagher said, if it results in the start of a count being delayed by an hour or so, so be it; we can live with that. The premise of the Bill is to give islanders certainty in knowing when an election is called that they will be voting on that day and not a day or two days beforehand, which is right and proper. I welcome it and congratulate Deputy Ó Cuív on initiating it.

**Deputy Éamon Ó Cuív:** Ba mhaith liom i dtosach báire buíochas a ghabháil le chuile dhuine a ghlac páirt sa díospóireacht seo, go mórmhór na pártithe atá tar éis a rá go bhfuil siad chun tacú leis an mBille, agus an Rialtas, atá chun tacú leis an mBille chomh maith. Mar atá ráite ag an Aire Stáit, tá beagánín oibre breise le déanamh ar an gclár vótála, agus an Rialtas, atá chun tacú leis an mBille chomh maith. Mar atá ráite ag an Aire Stáit, tá beagánín oibre breise le déanamh ar an gclár vótála, agus an Rialtas, atá chun tacú leis an mBille chomh maith. Mar atá ráite ag an Aire Stáit, tá beagánín oibre breise le déanamh ar an gclár vótála.

Maidir leis an lá gearr vótála, creidim gur cheart b’fhéidir leis an chead dáta chun tosaigh a bhfáithiú leis an gclár vótála. Bhí iontas orm a chloisteáil chun mbíonn lá ionlán vótála ar Árainn Mhór i dTír Chonaill, nuair a thógtar san áireamh go bhfuil 500 duine ar an gclár vótála ansin, dhá bhoth vótála, agus nach bhfuil sé ach deich nó nimheidh ón gcésta. Is mó é ná cuid mhaith boscaí ar an mhóirbhír. Nil cúis ar bith le sin sa lá atá inniu ann. Is cuimhin liom na seirbhísí farantóireachta a chur faoi chonradh leis an Roinn nuair a bhí mé mar Aire. Nil cúis ar bith nach dtabharfáí na boscaí isteach agus nach mbeidís an lathair conairimh ag 9.00 r.n. ar maidín. Go deimhin féin, mar is eol don Aire Stáit, ní osclaítear cuid de na boscaí go dtí 10.00 r.n. nó 11.00 r.n. ar maidín ar aon chaoi.

I never hear as much talk about bad weather as I do when this case arises. I can remember

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times in my lifetime when Wicklow was snowed up. I cannot remember Oíche na Gaoithe Móire which happened in the middle of the 19th century. I know the first few lines of the famous poem about Oíche na Gaoithe Móire, “Ar oíche ceann an dá lá dhéag, Béidh cuimhne grinn go h-éag” so it happened on 5 January. If that happens it will not be island votes Deputies will be worried about, they will be worried about getting the votes in from other places also. If it happens we can wait. It is very easy to write in to legislation a provision that in the case of extraordinary abnormal weather when helicopter, plane or boat cannot travel that the box does not have to be there at the required time. We might find that it is often easier to get to an island these days than to some places on the mainland. The point has been made many times by the people living in west Connemara that a person is much quicker at getting to hospital from the Aran Islands than getting to hospital from some parts of the mainland since they brought in the helicopter emergency medical service, HEMS. We will not find the practical problems and we know we will not. As I have said, the Cork islands have been doing this for a long time. It was hard to get change on this issue.

I have an email that was sent to me on 11 February 2011. Up to that time I was the Minister for the Environment, Heritage and Local Government. The Dáil term was over and there was an election on. As Minister, I requested the voting on the islands would be held on the same day as on the mainland but it was the absolute and utter prerogative of the returning officer in each constituency. I have the record here in the email, kindly sent to me by my adviser at the time, with the numbers of the electorates on the islands. There were 760 electors in Donegal and they voted two days prior. There were 194 electors in Mayo and they voted two days prior. Galway West had 1,155 electors and they all voted a day prior. In Cork there were 466 and they voted on the same day. There is no reason to say that Cape Clear is any easier to get to than some of the other islands. As I said, in the case of the Aran Islands, Cape Clear does not have the air alternatives.

I am absolutely delighted that the Government will be accepting this Bill. I look forward to it going on to Committee Stage, or pre-legislative scrutiny. One day’s pre-legislative scrutiny would probably do us. I do not think anybody from the islands or anywhere else - certainly from the debate tonight it is unlikely that anybody is going to appear out of the woodwork - will vehemently oppose this legislation. It would be nice to ask Comhdháil Oileáin na hÉireann in to a pre-legislative stage to make their points and see if they have any other amendments regarding electoral law pertaining to islands that they believe should be put in. Obviously, the Minister for Communications, Climate Change and Environment, Deputy Naughten, and may-be the Minister of State, Deputy Kyne, should come in also. I was delighted to hear the Minister wants to improve the Bill and he would certainly have my co-operation in doing that. A short period for pre-legislative scrutiny would do no harm. We can then agree amendments, whether they are to be introduced by the Government or by myself as the proposer of the Bill. We can then get this Bill expeditiously through the House: through Committee Stage, Report Stage and passed. I hope it would then go through the Seanad equally expeditiously and if we have done our job properly here then, please God, they will not have to make any amendments whatsoever.

I recognise that following the Minister of State’s negotiations last weekend the ferry service is back to Inis Mór. I have no knowledge of what arrangements have been put in place. I am concerned that the extension of the service is only until 4 January. I hope that a more permanent solution for the year can be put in place. I believe that every island should have a contracted service. The Minister of State has indicated that he agrees with this same principle and that he is going to make sure that this would happen. Unfortunately, his two predecessors, in my
view, did not cover themselves in glory with regard to the islands. There was regression around pupil-teacher ratios, there was a total absence of any capital expenditure on the islands and there was a dumbing down of contracted services to the island. I accept the Minister of State has made genuine efforts since he came in to office. I would like to see a continuous capital programme on the island. I think we need it. I know the Minister of State is committed to an chéibh ar Inis Oírr. Mar is eol dó, tá muintir Inis Meáin ag iarraidh go ndéanfaí obair ar an gcéibh ar an oileán sin. Níl obair an-mhór i gceist. Dá mbeadh €3 milliún nó €4 milliún in aghaidh na bliana curtha ar fáil ar feadh roinnt blianta, d’fhéadfaí na jabanna móra atá fós le déanamh ar na hoileáin a dhéanamh. Bhí an pleanáil do chéibh an Rannaigh i dTír Chonaill déanta nuair a bhí mise mar Aire. Tá gá leis na rudai beaga a bhí fáththa le déanamh ag an Rialtas deireanach a dhéanamh anois agus an obair sin a chriochnú.

Is lá deas é seo. Is dócha gur bronntanas Nollag deas é do na hoileánaigh go bhfuil sé aon-taithe ag Dáil Éireann go rachfaidh an Bille seo chun ionas go mbeidh sè de cheart acu deis vótála a bheith acu ar an lá céanna. Is dóigh liom go mbeidh siad buioch go mbeidh an cheart seo acu faoi dheireadh. Ba mhaith liom fear amháin a lua i dtaoibh na ceiste seo. Choíníonn Séamus Jamesie Ó Flatharta ó hInis Mór i mo dhiaidh thar na blianta. Tá mé ag ceapadh gur cheap sé ag amanna go raibh mé ag déanamh dearmait. Bhí daoine áirithe ar Inis Bó Finne agus ar fud an chósta ar an bport céanna. Mar is eol don Aire Stáit, déanann duine anseo is ansiúd níos mó ná a chion féin le ceisteanntá a bhrú chúin cinn agus a choimneáil beo. Cointníodh beo an cheist seo agus bainfídh go leor daoine tairbhe as.

Voting is important to people. Postal votes are important and so on, but it is fair to say that many people like, if they have the opportunity at all, to go back physically to their own place to cast their vote. You will find it very, very busy with boats and planes in to islands on the Friday evening of an election day and the turnout on the islands will be increased dramatically once we pass this legislation. I am hopeful we will not have an election in January because in February or March, if we can get this legislation through, I would like to see it in place. I am anxious for a quick election, as the Minister of State knows, but not that anxious that I cannot wait for this legislation to be in place first. I ask that he hurries up and gets it through, then we can go on with the election.

Question put and agreed to.

Electoral (Amendment) (No. 3) Bill 2014: Referral to Select Committee [Private Members]

Deputy Éamon Ó Cuív: I move:

That the Bill be referred to the Select Committee on Housing, Planning, Community and Local Government pursuant to Standing Orders 84A(3)(a) and 141 of the Standing Orders relative to Public Business.

Question put and agreed to.
Estimates for Public Services 2016: Message from Select Committee

An Ceann Comhairle: The Select Committee on Agriculture, Food and the Marine has concluded its consideration of the Supplementary Estimate for Public Services for the year ending 31 December 2016 - Vote 30 - Agriculture, Food and the Marine and has made amendments thereto.

The Dáil adjourned at 9.40 p.m. until 12 noon on Wednesday, 7 December 2016.