



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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(OFFICIAL REPORT—*Unrevised*)

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DÁIL ÉIREANN

Dé Máirt, 26 Márta 2019

Tuesday, 26 March 2019

Chuaigh an Ceann Comhairle i gceannas ar 2 p.m.

Paidir.

Prayer.

Ceisteanna ó Cheannairí - Leaders' Questions

Deputy Micheál Martin: The report published by the Economic and Social Research Institute, ESRI, this morning is a stark reminder of the negative impact of Brexit on the Irish economy, irrespective of the kind of Brexit that occurs. There is no such thing as a good Brexit. It will be negative for the economy, trade, jobs, households, the labour market and so on. The study's analysis of a no-deal, or disorderly, Brexit is particularly stark and significantly more negative than that of previous reports. Some 80,000 jobs will be lost in the event of a disorderly Brexit and there will be a severe impact on trade, notwithstanding whatever positive diversion we receive from foreign direct investment. The overall impact will be negative and damaging to Ireland, while a no-deal Brexit, in particular, will affect firms' capacity to trade, the labour market, the public finances, the household sector and the broader economy. That underlines a reminder to politicians on all sides across Europe, in the United Kingdom and in Ireland that a no-deal scenario must be avoided if at all possible. I am not sure if that is the view of everybody across Europe or some of our friends in the United Kingdom. I got a sense at the European summit last week that some people were saying that they had had enough of this, that they should get rid of it and move on to the next business. It is not the next business for the 80,000 people who would lose their jobs or the livelihoods and companies that would be damaged. There has to be a reassertion of the imperative to avoid a no-deal Brexit.

I believe President Macron asked the Taoiseach what will happen if there is a no-deal Brexit. He asked the Taoiseach if Ireland would be fine, which is probably the overstatement of the week, to which the Taoiseach replied that we could cope. This has not been denied. I would like an explanation of how the 80,000 people who will lose their jobs will cope. We should take every opportunity to point out to our European colleagues that it needs a medium-term extension. There should be no equivocation about the necessity for one.

I believe Chancellor Angela Merkel asked the Taoiseach about the Border question. It has been revealed that the Commission is in talks with the Irish Government about a no-deal scenario and what would happen at the Border. It says that if there is no deal, there is no backstop, and there will be checks at the Border and, in essence, there will be a Border. The precise form and nature of the checks, how they will take place, and at what distance is being discussed. I

think the Taoiseach said it is preliminary and there is a rough plan. Does the Taoiseach not think it is time for him to be upfront and transparent with the Dáil and public about the impact of a no-deal scenario on the Border question? What will happen at the Border? What is the nature of the discussions under way between the Commission and the Government? Will the Taoiseach outline details of the type of arrangements being discussed in the context of a no-deal scenario?

The Taoiseach: The ESRI report published this morning is a reminder of the very stark consequences that Brexit will have for Ireland and the Irish economy. It confirms many things that we knew already. Brexit will be bad for Ireland in any scenario. There is no such thing as a good Brexit for Ireland. While there may be opportunities, there will certainly be more down-sides than upsides. It confirms again that a deal is better than no deal, and a managed no-deal situation would be better than a disorderly no-deal situation. It also shows that the economy will continue to grow. It will not be as fast as we anticipate it will grow in the event of a deal but it will continue to grow. We will not go into recession, at least according to the ESRI. There will continue to be an increase in the number of jobs. There will be more jobs, just not as many extra jobs as we would have in the event of a deal. Incomes will continue to rise, just not as fast as they would rise in the event of a deal. Public finances would deteriorate, but not to the extent that we witnessed ten years ago. We would move from a small surplus into a small deficit.

Having said that, we should not underestimate how serious a no-deal Brexit could be for some very vulnerable sectors in our economy, especially the agrifood sector, tourism and small exporters whose only market is the UK. That is where we are most exposed and they will need the most support should we end up in a no-deal scenario in a few weeks. I heard Deputy Martin say a moment ago that we should avoid no deal at all costs. I am not entirely sure what he means by “at all costs” or what price Fianna Fáil would be willing to pay to avoid no deal. I know at the start of Brexit his party conference voted in favour of gantries and hard border measures between North and South. Fianna Fáil’s spokesperson on “Morning Ireland” refused to rule out-----

Deputy Michael Healy-Rae: Stop playing politics with it and act like a Taoiseach.

The Taoiseach: Fianna Fáil’s spokesperson on “Morning Ireland” refused to rule out or at least refused to answer a question about whether Fianna Fáil thinks we should be preparing for a physical border between Northern Ireland and Ireland, which we are not.

Deputy Darragh O’Brien: She asked for the Government to answer questions and to be upfront in the interview.

The Taoiseach: With reference to plans, we have put in place the necessary legislation to protect the rights of citizens and support businesses in the event that there is no deal. The legislation was signed by the President on St. Patrick’s Day. I acknowledge the co-operation of this House and the Seanad in getting that important legislation through. I hope it will not be needed, but it is done and was enacted well ahead of time.

Tomorrow the Minister for Agriculture, Food and the Marine, Deputy Creed, and the Minister for Business, Enterprise and Innovation, Deputy Humphreys, will launch the future Brexit loan scheme to provide finance for businesses which may need it in order to adapt their businesses in the event that Brexit happens. We have secured the common travel area through a bilateral convention with the United Kingdom, making sure there will continue to be free travel between Britain and Ireland and students from the North and the South and cross-Border work-

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ers will not be affected. We have developed a package of measures that we can put in place very quickly to support jobs and incomes in the agrifood and export sectors, with a series of loan arrangements that we can put in place to intervene to rescue and restructure businesses to turn them around in the event that there is no deal.

Deputy Micheál Martin: I do not intend to lower myself to the petty partisan politics in which the Taoiseach engaged just now. I will just remind him that we voted for the withdrawal treaty. We facilitated and expedited the legislation to prepare Ireland for a no-deal Brexit. We have been constructive. Ours has been the only party here that has been resolute in avoiding the need for a general election in order that the Government will have space to negotiate on Brexit. We have been supportive of the national position. That said, a no-deal Brexit should be avoided. Britain agrees with the withdrawal treaty, or at least the British Government and the British Parliament do. No one is talking about compromising on the essentials in the context of a hard border and so on. The Taoiseach did, however, hear me talk about an extension. It worried me that President Macron had asked the Taoiseach on the day of the meeting if Ireland would be fine in the event that there was a no-deal Brexit. That is my point. There was a sense in Brussels last week that this should be moved on at any cost. The date was moved to 12 April. Sometimes it takes a little more patience to work out a resolution.

I have asked a question that I have been asking for three months and which the Taoiseach has again avoided. That is why he went down the road he took to avoid answering the question I asked. What is the nature of the discussions that have been ongoing between the Taoiseach and the Government and the Commission on the Border question in the event that there is a no-deal Brexit? Can the Taoiseach give the House an honest answer to that question that I have been asking for three months?

The Taoiseach: The Deputy said he thought a no-deal Brexit should be avoided at all costs. They were his words.

Deputy Dara Calleary: Answer the question.

Deputy Eugene Murphy: Petty.

The Taoiseach: I do not think it is petty to ask the Deputy to explain what he meant by it, but I will not pursue it. He is aware that I supported an extension and said so before the Council meeting yesterday. We have granted the United Kingdom an extension which was supported by President Macron and agreed to by all 27 member states.

Deputy Micheál Martin: The Taoiseach did not. It is conditional.

The Taoiseach: There were differences of opinion on which date we should choose, but there was no push-back against there being an extension. As 27 member states, we stand behind the extension we agreed to last week.

Nobody can say for sure what will happen in a no-deal scenario at the Border between Northern Ireland and Ireland. We will hold the United Kingdom Government to its existing commitments on the Good Friday Agreement, to ensure the free movement of people and free trade, North and South-----

Deputy Micheál Martin: Has the Taoiseach talked to the Commission?

The Taoiseach: -----and its commitment made in December 2017 to maintain full regula-

tory alignment. Talks with the Commission have been happening at official level on exploring contingencies. What they will be nobody can say for sure because a lot will depend on the approach the UK Government takes if it maintains full regulatory-----

Deputy Micheál Martin: Can the Taoiseach share it with us?

The Taoiseach: There is nothing to share; they are preliminary discussions. There are no papers or documents.

Deputy Micheál Martin: Of course there is something to share.

The Taoiseach: That is a conspiracy theory.

Deputy Micheál Martin: It is not.

The Taoiseach: It is.

Deputy Micheál Martin: The Government is having discussions. Can it not share what is being discussed?

Deputy Mary Lou McDonald: The Oireachtas Joint Committee on Climate Action is meeting today and tomorrow to sign off on its report which is due to be published on Thursday. The Taoiseach, Fine Gael and its partners in Fianna Fáil support increasing carbon taxes and it is almost certain that that recommendation will feature in the committee's report. Regardless, the Taoiseach has indicated that it is, in effect, Government policy. At the weekend he said increasing carbon taxes was on the table for inclusion in the October budget and that increases would be in line with the committee's recommendation of €80 per tonne, or four times the current level. Climate change is a massive problem. It is perhaps the defining challenge of our generation. There is an all of society acceptance that IT must be tackled and that we are already way behind where we need to be in tackling the issue effectively. The way to fight climate change is not to penalise ordinary families and working people by increasing their fuel costs or utility bills. That is not something Sinn Féin will support. We will not support any increase in carbon tax that will not protect low and middle income earners and ensure the big polluters will carry their responsibilities and pay their way. We already have very high fuel and energy costs in this state and the current carbon tax has not lowered emissions levels. Carbon emissions have, in fact, increased and loading another layer of cost and tax on ordinary people will not change behaviour, yet the Government seems intent on pursuing this course of action. Unless it puts measures in place to give families alternatives, a carbon tax is just a punitive tax and must absolutely be opposed. The Taoiseach should be aware that there are families who are at the pin of their collar. They are just about getting by and should not have to pay the price because of the actions of big corporate polluters. I hope the Taoiseach agrees with that sentiment. We need to see climate change tackled in a progressive way that will combine social justice and fairness with the obvious environmental demands. People need to be able to switch to alternatives. That means that we need a comprehensive retrofitting programme. People need to be able to switch to heat pumps easily, make the change to electric vehicles in a cost effective way and avail of microgeneration. We also need real investment in public transport.

The type of carbon tax the Government is proposing is not the solution. It would be ineffective, regressive and only creates the illusion of action. Can the Taoiseach accept that, as currently devised, the Government's carbon tax plan will impact disproportionately on low and middle income families who cannot afford to switch to electric cars and make their homes more

fuel efficient? Will he accept that this approach is wrong and commit to going back to the drawing board and scrapping the Government's regressive and out of touch proposals?

The Taoiseach: The Deputy is getting the all-party committee mixed up with the Government and the Fine Gael Party.

Deputy Dara Calleary: The Taoiseach does that all the time.

The Taoiseach: Never allow the facts to get in the way of a good political charge. I have published no carbon tax plan. The all-party committee is working on the issue and I hope it will be able to report this week. I also hope we will all give its report a good reading and a fair hearing before coming out against it.

The Deputy will recall that the Government took the decision not to increase carbon tax in the last budget and that we sustained some criticism for not doing so. By the way, we did increase the fuel allowance, but we did not increase the carbon tax and took the decision not to do so for very good reasons. First, VAT was going up in the new year and we did not want to increase two taxes; rather, we wanted to reduce taxes, as we did in the case of income tax and USC, for example. Second, we were very aware of the impact higher fuel prices could have on people who needed to fill their tank and heat their homes, people who used gas and electricity, as all of us do, and people who needed to commute and had no other choice but to commute by car. That is why we took the decision, for which we were heavily criticised, not to increase carbon tax in the last budget.

We do need, however, to take climate action. We are well behind in meeting our emissions targets. We need to catch up and be honest with people. The carbon tax will not solve the problem of climate change, but we will not solve it without a carbon tax. It is and has to be part of the solution. It involves three measures: regulation; investment in public transport and renewable energy initiatives and the carbon tax. The whole point of having the carbon tax is that it is done in a way that nudges people and corporations to change their behaviour. It makes it more economical to buy an electric vehicle rather than a diesel car and to invest in a fuel pump, rather than using alternative heating systems.

The Deputy may wish to pretend to people that the Government can somehow come up with €50 billion, €60 billion or €70 billion to do all of it in the form of grants. It cannot. That is not true. It is not honest. The Deputy is not being honest and is not really on the side of the environment. We cannot meet our obligations when it comes to climate change unless we have carbon tax, not as a solution, but it does need to be part of the solution. I saw it suggested yesterday that the carbon tax might increase fourfold in the next budget and that this is somehow on the table. I can say emphatically that it is not. There is no prospect of a carbon tax increase of that scale or anything remotely approaching it being proposed by the Government in the next budget. If there is an increase in the carbon tax - the budget has to be negotiated, as Deputies are aware - it is my strong view that the money should be ring-fenced and given back to people in the form of increases in the fuel allowance to protect those who are least well off, in the form of increased tax credits, and in the form of a dividend model. That is the model I prefer. I have no doubt that Sinn Féin will do what it always does, the populist thing, which is to peddle solutions that do not add up, oppose things that are unpopular, and still somehow pretend it is for the environment. We all know the far left is anti-environment.

Deputy Mary Lou McDonald: Sadly, the evidence of this fee and dividend model that the

Taoiseach is advocating, whereby people receive their money back on the carbon tax they pay, has been proven not to work. It has not worked in British Columbia in Canada, where emissions have not gone down. It has not worked in Norway and it will not work here. It will not work for the very simple reason that we cannot change people's behaviours in ways that they cannot afford. It may well be that the tax Fine Gael will negotiate with its coalition partners in Fianna Fáil may facilitate the better-off in society to improve the energy rating of their homes. They may even invest in an expensive electric car. I can tell the Taoiseach that for the broad mass of people, that is simply beyond their reach. Approaches that do work are investment in public infrastructure and investment in programmes that facilitate and support people to change their behaviour. What does work is straight-up investment in the green economy and green jobs. This make-believe scenario will not work.

I am glad to hear the Taoiseach is not going to increase the carbon tax fourfold, although he was quoted over the weekend as making precisely that promise.

The Taoiseach: I was misquoted. I thank the Deputy.

Deputy Mary Lou McDonald: By what quantum will the Taoiseach increase the tax? Will he be mindful of the fact that we have very high energy prices in the State already and that householders already contribute to helping our environment through the public service obligation, PSO, levy on every electricity bill? That nets €500 million per annum to support renewable energies. I dare say people outside this Chamber do not think they have seen much bang for those particular bucks in terms of protecting the environment.

The Taoiseach: I do not know where the Deputy gets her information but carbon emissions in British Columbia are down by 9% since they introduced their carbon charge regime. Carbon tax does not reduce emissions overnight. That is not the point. The point is that over time, it tips the balance in favour of investment in green technologies and heating systems and in electrical vehicles over those that are polluting. The Deputy sounds to me like one of the hard Brexiteers across the water. We know what she is against but we do not know what she is for. The stuff she is for is only the stuff that is popular. If she thinks we are going to meet our obligations to reduce carbon emissions, be able to take climate action, and respond to the demands of those young people who want us to get our act together on climate change by only doing things that are popular, by only doing investments and handing out grants, then I do not think even she believes her own rubbish.

Deputy Brendan Howlin: In February, the Minister for Finance warned that Brexit could cost at least 40,000 jobs. This week, the Department of Finance and the ESRI have warned that a disorderly Brexit could cost this country 80,000 jobs. Some of these job losses would be due to lower economic growth and lower job creation. There is also an obvious real risk to tens of thousands of current jobs. What is worse, these jobs are concentrated in certain economic sectors and certain regions, as the Taoiseach has acknowledged. Food exporters, many of whom only export to Britain, are particularly vulnerable to tariffs that may arise. The UK has signalled that tariffs will be in place for dairy and beef products, but other sectors are also at risk. Many manufacturers rely on materials and components sourced in Britain. This is a reality of the global supply chain. Those who look to Britain for imports will be under pressure. Any tariff or restriction on imports from Britain will impact on the capacity of all manufacturers to export to other countries, which will impact on their bottom line. It will affect their competitiveness, including their ability to produce goods quickly enough in the just-in-time global economy. Another risk to Ireland is the potential for collapse in the euro-sterling exchange rate. Wild

fluctuations could have devastating effects on many businesses.

The Labour Party's core concern is the impact of Brexit on jobs and livelihoods. The Taoiseach has made a bold claim that the Government will protect incomes and jobs and will support businesses "whatever happens in the next few weeks". My understanding is that the EU has agreed to approve state aid to the value of €200 million. Is that the case? With 80,000 jobs at risk, surely that cannot be true. A total of €200 million in soft loans is not enough, and it is not the correct type of support for the potential impact on jobs that would flow from a hard Brexit. Labour has joined the Irish Congress of Trade Unions, ICTU, in calling on the Government to make sure that at least €500 million is available to the new Brexit preparation fund. We can subsidise the most vulnerable firms in the event of a hard Brexit. It is likely that more than that amount will be required if the impact, as set out by the ESRI, actually comes to pass.

Will the Government commit to ensuring that there is no legal impediment to the putting in place immediately if a hard Brexit happens in the next couple of weeks of the supports necessary to maintain jobs in our economy? Will the Government confirm that it will provide direct subsidies to crisis hit firms to maintain jobs in the worst-case scenario?

The Taoiseach: It is worth pointing out that we are doing a lot already. We have already made low-cost loans available to businesses. The Minister for Business, Enterprise and Innovation, Deputy Humphreys, the Minister for Agriculture, Food and the Marine, Deputy Creed, and the Minister for Finance, Deputy Donohoe, will launch the next of those loans on Wednesday, the future growth loan, which will enable businesses to get finance so that they can restructure, change the products they make and reorient to new markets if they need to do so. We have been putting endless supports in place in the last couple of months, ranging from loans-----

Deputy Brendan Howlin: Endless?

The Taoiseach: Not endless, but substantial. We have put loans in place, as well as hosting seminars and producing information. That process is ongoing.

I am not sure where the figure of €200 million comes from. Neither the Tánaiste nor I are familiar with such a limit, but we believe the Deputy might be referring to the rescue and restructure element of it, which is only one element of the package in place to support business. That element was increased by the Minister, Deputy Humphreys, from €20 million to €200 million in the last while. That is a particular instrument where money can be provided to a business to rescue it if necessary and to fund restructuring so that it can change the way it does its business to ensure its survival. That is a particular instrument for particular types of businesses and mainly involves exporters not involved in the agrifood sector.

There are different supports in place for the agrifood sector, including farmers, fishermen and primary producers for the wider industry. Those supports are provided by the Common Agricultural Policy and the CMO regulation. We will require sums very far north of €200 million to support incomes and save jobs in the agrifood sector. I said at the weekend that if we end up in a no-deal Brexit scenario, no amount of Government intervention or State support will make it all okay. I meant that. It will still be bad. However, we can mitigate the damage substantially by protecting incomes and protecting jobs in the first phase, and in the second phase by providing funding to restructure industry to produce new products, provide new services and to orientate to new markets where it is viable to do so.

Deputy Brendan Howlin: We know the damage the economic fire of Brexit will cause. I

am asking the Taoiseach to outline specifically the fire protections he will put in place to mitigate that damage. The Taoiseach has said that €200 million for sanctioned state aid is not the ceiling of it. Precisely how much to date has been approved by the EU for state aid in the event of a hard Brexit?

When I asked the Taoiseach what the Government had put in place, he spoke about endless supports, from loans to seminars. Loans are no good to some companies that cannot pay back loans in the short term. They are vital to some. Seminars will not sustain jobs. They are helpful in advising people, but in the event that the hard Brexit that has been forecast and mapped by the ESRI comes to pass, people will need to know what concrete financial supports are there to sustain them through the crisis until they figure out how to continue. Will the Taoiseach quantify the sums the Government will deploy?

The Taoiseach: In addition to the loans, the information, the seminars and the training, grants have also been issued by Enterprise Ireland, InterTradeIreland-----

Deputy Brendan Howlin: How much?

The Taoiseach: I do not have that exact figure in front of me, but it has been a whole package of things. This has been done already. We may never see a no-deal Brexit and yet we have done all these things just in case it happens.

In terms of the fire protections, as the Deputy described them, he will be aware of the €200 million rescue and restructure fund for business. I have explained how that would work. There would be other instruments for farmers and the agrifood sector, and other instruments for the fishing sector should our fishermen lose access to the UK waters in the event of a no-deal Brexit.

There is a Brexit stakeholders forum tomorrow. We will be able to share more information with leaders, stakeholders and parties. We do not have an exact final figure because that is still being worked on with the Commission. As the Deputy knows, when it comes to agriculture a certain amount will come from the Commission, which we can then match either one-to-one or by multiples. We are still in discussion on the extent by which we are allowed to top it up.

As I do not want to create the wrong impression, it is very important to bear in mind that it is not as if the Government has hundreds of millions or billions of euro sitting in a bank account somewhere to use. This will be borrowed money if we have to do it. We will move from surplus into deficit, but if that is what we have to do to protect jobs, incomes and livelihoods, and to save businesses, farms and the agrifood sector, we will do it. In the event of a deal being agreed, I would not like to create the impression that this money is available for something else. It is not. It would be borrowed money.

The reason we set up a rainy day fund and the reason we ran a budget surplus this year, against the advice of some people who said we should borrow more and spend more, was so we would be in a position to borrow if we have to, and we can.

Deputy Eamon Ryan: There is doubt over whether the Government has made up its mind on what we will do with the south part of the MetroLink project. As we are speaking, the National Transport Authority has outlined its latest paper on the next level of design options. I have had a chance to read it online and we look forward to attending its session this afternoon with Members of Parliament to ask questions. I hope we can agree, as we have agreed on the previous occasion, to bring this before the Oireachtas Joint Committee on Transport, Tourism

and Sport for a really detailed debate. We all know the history of this with 20 years of planning the metro. It was always planned to be extended to the Luas green line. Real concerns arise that in a driverless segregated system, the section from Ranelagh to Dundrum, would have the serious consequences of loss of pedestrian, cycling and local accessibility. We had expected some sort of response to that today to see what would be technically possible.

The response seems to be to put it off for 20 years. We will not proceed now. We will run the tunnel machine beyond Charlemont to just south of Ranelagh and use it as a shunting yard while we wait 20 years before upgrading it. That is not the right approach to take. We need to be ambitious in public transport development. What the Taoiseach said earlier about the climate is very true. We need to do many things and so much more. In transport alone, even with the MetroLink and the BusConnects project in Dublin, the National Transport Authority expects a 30% increase in emissions when what we need a 30% decrease by 2030.

The Government needs to be open to looking at all options, including extending the Luas green line now if that is the best transport solution. We should look at other solutions. One of people's main concerns is that the lack of upgrade to the Luas green line will see people from Sandyford, Cherrywood and beyond, where large developments are occurring, not having a sufficient capacity to get on the line. That is a real issue. One option we could choose to solve that problem would be that rather than stopping the tunnelling machine in Ranelagh, it could continue on to UCD and from there to Sandyford, thus creating a new line that has heightened demands - UCD is a huge centre and there are others along that route - thereby solving that problem. The other might be to run it to the south west to Terenure and Rathfarnham but, critically, we are in a consultation process where we should not shut out the options. The Minister for Transport, Tourism and Sport said last month: "I won't countenance any project which comes up with a proposal which inconveniences commuters" to the extent of a four-year closure, which he stated was possible. He said: "it won't be happening". Is that the last word from the Government on this issue or can we examine all the options in a sensible way to make sure we get a transport solution for south Dublin? We will need the same for west and north Dublin and for every other city and every rural community. We need radical ambitious plans for public transport to stop the €2 billion cost of gridlock that is evolving, to tackle our emissions and to improve our quality of life. Doing nothing or abandoning public transport projects should not be the answer. Is the Taoiseach open to looking at all the options that are still before us?

The Taoiseach: I thank the Deputy for his question. First, to pick up on a theme mentioned earlier, I do not think we can meet our obligations when it comes to reducing emissions, taking climate action or satisfying the demands of young people who want us to do more around climate change without a metro but just like a carbon tax, a metro on its own does not solve the problem. It only deals with one part of the problem but it needs to be all these things and not any one of them if we are serious about taking climate action.

Like the Deputy, I also represent a commuter constituency. Today thousands of my constituents will spend an hour or more in their cars or on the bus getting in and out of town, which has an enormous impact on people's quality of life, but things can be so much better. In a city of this size we can have people getting into the city centre in 30 or 35 minutes, even from the outer suburbs, but that means investing in public transport and cycling and in projects such as the metro and BusConnects as well as, for example, DART electrification to the western suburbs.

All the solutions are not in Dublin. In order to solve our congestion problems we need to build up the other big cities and some other towns so that we have much more balanced de-

velopment. All the philosophy behind Project Ireland 2040 is about growing those towns and cities at twice the rate of Dublin. Part of the solution to Dublin's problems is to develop our other cities and we are very committed to that. It involves better planning in Dublin so we that have much more high density, which would make public transport more viable. It also involves investment in cycling and public transport, as the Deputy mentioned.

I had a chance to meet the people in the National Transport Authority a few weeks ago to get a briefing from them as to what the direction of travel was. My understanding is that the new alignment, which the authority is going to produce today, will involve some important changes. It will protect the Na Fianna GAA club, which I am sure all of us will agree is very important. It will also protect Kickhams, which is also very important, in order that the club can move to its new grounds and have new facilities in Ballymun. It will change the proposal to tunnel through Ranelagh, which I believe the residents of Ranelagh will very much welcome. Rather than going the full way down the line, the tunnel will stop in Ranelagh and the Luas south of there, the green line, will be very significantly upgraded. The reason the authority decided not to go the whole way down that line is that it would involve closing the Luas for two to four years, which it had determined, and I agree, was not a viable option.

To answer the Deputy's question, notwithstanding the fact that this is a statutory process, we need to be open to suggestions as to where the tunnel should go from there. The Deputy suggested Terenure and Rathfarnham but they have said to me that the density there would not justify it - we would have to put in a lot more high-rise building around there in order to justify it - but that UCD and Sandyford might make sense. "Yes" is the answer to the Deputy's question. I think we should be open to considering that but I would not like that to hold up the project because nobody is arguing against it in the airport, in Swords, Glasnevin, Santry or at the Mater - that entire area has been waiting for this for far too long. I would not like anything to hold that up.

Deputy Eamon Ryan: I fully agree; nothing should hold it up. We should, at real speed, look at those other options. I take some comfort from the Taoiseach saying the Government is willing to do that and that with respect to the comment by the Minister, Deputy Ross, to the effect that he would not countenance that proposal and that it would not be happening, nothing else happening is not the final word. That area in Rathfarnham and beyond to Knocklyon and Firhouse is very badly served by public transport and as there is large-scale development happening in the area, those people deserve a first class public transport system. The advantage of running to UCD is that we could have a whole series of station stops where development is going to occur anyway. To put the stations in at the same time as the foundations are being poured makes real sense as the numbers would be huge straightaway and it solves the problem of capacity on the green line.

It is a statutory process. We do not want to run the NTA's business. It has to do the proper engineering analysis and this has to be done in the end with best transport engineering. Where is the best place for us to have that civil debate? It is not just obsessing about south Dublin, but south Dublin happens to be the issue before us and is where we will have a tunnelling machine coming across the Liffey. We need to know what to do. Are we best to give our advice to the Joint Committee on Transport, Tourism and Sport or directly to the NTA? How do we engage with the Government so the options suggested here today can be considered in a rational, reasoned and ambitious way?

The Taoiseach: As I understand it, what the Minister, Deputy Ross, said he cannot counte-

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nance is a two-year to four-year closure of the Luas green line. I agree with him. I think that would be unacceptable.

Deputy Micheál Martin: Why was it published in the first place? They all endorsed it a couple of years ago.

The Taoiseach: Second, I think we should have a discussion about where the tunnel goes. The current proposal, as I understand it, is to leave the machine in the ground somewhere around Ranelagh. We should have that discussion about whether it would make sense to go west or east from there, perhaps to UCD, perhaps to Sandyford. As the Deputy points out, the option of going to Sandyford solves the long-term problem of the Luas green line, so there is common sense in that, in my view.

How do we take it from here? Again, as I understand it, it is a statutory process, the NTA will publish the revised route today and there will be a further statutory consultation period during which people will be able to make further suggestions. An engagement with the Joint Committee on Transport, Tourism and Sport, chaired by Deputy Fergus O'Dowd, would be another good step forward. However, I would say this and I know the Deputy will agree with me: if we are going to examine where the tunnel goes south, let us not allow it to hold up the rest of the project. Nobody doubts the need for it at Swords, the airport, Santry, DCU, the Mater, the north inner city, the intersect with the Maynooth line at Glasnevin and through to O'Connell Street, Trinity and St. Stephen's Green, and linking up with DART and Luas. We need to get this done.

An tOrd Gnó - Order of Business

Deputy Aengus Ó Snodaigh: Craoladh i dtaobh Ghnó na Seachtaine: is mar a leagtar amach é sa Tríú Tuarascáil Athbhreithnithe ón gCoiste Gnó dar dáta an 25 Márta 2019 a bheidh gnó na seachtaine seo.

Craoladh i dtaobh Socruithe Beartaithe i gcomhair ghnó na seachtaine seo: I ndáil leis an ngnó Dé Céadaoin, beartaítear: (1) Go dtógfar Mír a11, Tairiscint chun Treoir a thabhairt don Choiste ar an mBille um Chlárú Sibhialta, 2019, gan díospóireacht agus go dtógfar láithreach aon vótáil a éileofar ar an gcéanna; agus (2) Go gcuirfear tús le Mír 29, Ráitis tar éis an chruinnithe den Chomhairle Eorpach an 21-22 Márta, de bhun Bhuan-Ordú 111 díreach tar éis Ceisteanna chun an Taoisigh agus cuirfear an suí ar fionraí ina dhiaidh sin faoi Bhuan-Ordú 25(1) ar feadh aon uair an chloig. Tabharfar na Ráitis chun críche tar éis 1 uair an chloig agus 45 nóiméad, mura mbeidh siad críochnaithe roimhe sin, le Ráitis ó Aire nó Aire Stáit agus ó phríomhurlabhraithe na bpáirtithe agus na ngrúpaí, nó ó chomhalta a bheidh ainmnithe ina n-ionad, nach rachaidh thar deich nóiméad i ngach cás. Tógfaidh Aire nó Aire Stáit ceisteanna ar feadh tréimhse nach faide ná 20 nóiméad, agus tabharfaidh Aire nó Aire Stáit freagra cúig nóiméad, agus féadfaidh gach comhalta am a roinnt.

I ndáil leis an ngnó Déardaoin, beartaítear: 1. Go suífidh an Dáil níos déanaí ná 8.03 p.m. agus go mbeidh Saincheisteanna Tráthúla ar siúl ar Gach Céim de Mhír a1, An Bille Iascaigh Mhara (Leasú), 2017 [Seanad], a thabhairt chun críche nó ar 5.25 p.m., cibé acu is déanaí; 2. Go dtógfar Mír 11 gan díospóireacht; agus 3. Go ndéanfar na himeachtaí ar an Dara Céim de Mhír a1 a thabhairt chun críche tar éis dhá uair an chloig, mura mbeidh siad críochnaithe roimhe sin, agus go dtógfar láithreach aon vótáil a éileofar ar an Dara Céim a chríochnú. Ní rachaidh Ráitis ó Aire nó Aire Stáit agus ó phríomhurlabhraithe na bpáirtithe nó na ngrúpaí, nó ó chomhalta a

bheidh ainmnithe ina n-ionad, thar deich nóiméad i ngach cás, le deich nóiméad do gach comhalta eile agus tabharfaidh Aire nó Aire Stáit freagra cui nóiméad, agus féadfaidh gach comhalta am a roinnt. Tabharfar na himeachtaí ar Chéim an Choiste agus ar na Céimeanna Eile chun críche le haon cheist amháin tar éis aon uair an chloig, mura mbeidh siad críochnaithe roimhe sin, agus ní bheidh iontu, i ndáil le leasuithe, ach na cinn sin a bheidh arna gcur síos nó arna nglacadh ag an Aire Talmhaíochta, Bia agus Mara.

An Ceann Comhairle: Go raibh maith agat. In light of that report, there are two proposals to put to the House. Is the proposal for dealing with Wednesday's business agreed? Agreed. Is the proposal for dealing with Thursday's business agreed to?

Deputy Brendan Howlin: I have a difficulty with the proposal for Thursday's business, which the Labour Party representative on the Business Committee, Deputy Brendan Ryan, raised at the most recent meeting. It is proposed to take all Stages of the Sea-Fisheries (Amendment) Bill 2017 in three hours on Thursday. This Bill was introduced two years ago and was put on hold at that stage. The Bill is currently still before the Seanad and I understand that clarification is to be provided by the Minister for Agriculture, Food and the Marine in that House tonight. Letters are to be read into the record and so forth. In that context, it is entirely unacceptable that we would schedule legislation before it has concluded in the Upper House, particularly when that legislation is contentious. This Bill was withdrawn two years ago and for the benefit of those who do not understand, it aims to put a legal form of *voisinage* in place, that is, a neighbourhood agreement between Northern Ireland and the Republic in terms of sea fisheries. The idea of fast-tracking it was to have it completed in advance of the exit of Britain from the EU, which was expected this Friday but that is not going to happen now. We have some time to deal with this legislation and my party is seeking clarification on a number of points. I ask the Taoiseach to allow some reflection on all of this. It is something about which we can build consensus in this House because a neighbourhood agreement is important. The Taoiseach already stated earlier that the Government is preparing to compensate fishermen in this State in the event that they are excluded from UK waters. I ask that we would not schedule all Stages of this Bill this week. Perhaps we could deal with Second Stage on Thursday, but we should not conclude the Bill-----

An Ceann Comhairle: Let us ask the Chief Whip if-----

Deputy Brendan Howlin: It is a matter for the Business Committee rather than the Government, of course.

An Ceann Comhairle: It is Government Business.

The Taoiseach: This is, of course, a matter for the Business Committee but I would like to comment, if I may. This is about restoring the *status quo ante*. It is about restoring an arrangement that existed-----

Deputy Brendan Howlin: That was knocked down by the courts-----

The Taoiseach: I know. We want to restore the *status quo ante* to what existed from the 1960s until 2016, which was reciprocal rights. At the moment, vessels from the Republic of Ireland can travel north into Northern Irish waters and fish within the six-mile limit but vessels from Northern Ireland cannot do the reverse.

Deputy Brendan Howlin: That might not be true after Brexit.

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The Taoiseach: That is not right. We should not have a hard border on the land or in the sea. In terms of basic fairness, we should have reciprocal rights.

Deputy Brendan Howlin: Has the Taoiseach read the High Court judgment delivered last Friday?

The Taoiseach: No.

Deputy Brendan Howlin: The judgment said that considerable damage was done-----

Deputy Simon Coveney: The original court judgment-----

Deputy Brendan Howlin: We need debating time.

Deputy Simon Coveney: The original judgment recommended putting legislation in place and that is what we are doing.

An Ceann Comhairle: Allow the Chief Whip, please.

Minister of State at the Department of the Taoiseach (Deputy Seán Kyne): This matter was raised by the Minister for Agriculture, Food and the Marine, Deputy Creed, prior to the recent break. It was sent out and scheduled by the Business Committee over the break as well. The Taoiseach has outlined the reasons behind it. On departure from the EU, access to fisheries in UK waters, as a third country, will be a matter for the EU to negotiate on Ireland's behalf. If the *voisinage* arrangements are operational at the time of departure, which would require successful enactment of this Bill, it is likely that the EU will recognise the arrangements as pre-existing and bilateral. This is a Brexit imperative and that is why the Business Committee agreed that it would be fast-tracked. I accept that it is only being dealt with in the Seanad today.

Deputy Brendan Howlin: My point is that it will not happen by this Friday.

Deputy Seán Kyne: The intention was to ensure that it would be passed by 29 March, which was the original Brexit date.

Deputy Brendan Howlin: It is no longer the date of Brexit. I ask again that we take Second Stage this Thursday and take Committee Stage and Report Stage next week when we have had time to reflect further on it.

An Ceann Comhairle: Is the Government conceding on this? It is business in Government time.

Deputy Micheál Martin: The Business Committee has decided on it.

Deputy Danny Healy-Rae: It does not know what it is doing.

An Ceann Comhairle: Yes, the Business Committee has decided on it.

Deputy Mattie McGrath: The Rural Independent Group did not agree with the decision. We support Deputy Howlin in his bid.

An Ceann Comhairle: We will do a ring around of the Business Committee this afternoon to clarify what is the position.

Deputy Micheál Martin: Was there not a decision taken by the Business Committee?

An Ceann Comhairle: There was, but a lot of decisions have been taken by the Business Committee.

Deputy Micheál Martin: I know, but there should be a proposition put to the House that should be taken.

An Ceann Comhairle: Has any Member a proposition to put to the House?

Deputy Micheál Martin: The Business Committee has.

Deputy Brendan Howlin: I have made a proposition to the House: that we take Second Stage this Thursday and allow the follow through next week. There is no imperative because Brexit will not happen on Friday, which is why the Friday date was originally put in.

Deputy Danny Healy-Rae: There is no rush about this.

An Ceann Comhairle: There is as much clarity-----

Deputy Seán Kyne: The ring around was made and it was agreed by the majority of the Business Committee to schedule as is.

Deputy Brendan Howlin: Can another ring around be done?

An Ceann Comhairle: Okay. It was agreed to schedule as is. I put it to Deputy Howlin that the position is that he can vote against the proposal. Is the proposal for taking Thursday's business-----

Deputy Brendan Howlin: It is all well and good for the Minister of State, Deputy Kyne, to be so flippant with the livelihood of fishermen-----

Minister for Rural and Community Development (Deputy Michael Ring): There are a lot of people involved in this and a lot of fishermen. It is not just-----

An Ceann Comhairle: Please Deputies.

Question put: "That the proposal for dealing with Thursday's business be agreed to."

<i>The Dáil divided: Tá, 87; Níl, 28; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Staon</i>
<i>Aylward, Bobby.</i>	<i>Boyd Barrett, Richard.</i>	
<i>Bailey, Maria.</i>	<i>Broughan, Thomas P.</i>	
<i>Barrett, Seán.</i>	<i>Burton, Joan.</i>	
<i>Brady, John.</i>	<i>Collins, Joan.</i>	
<i>Brassil, John.</i>	<i>Collins, Michael.</i>	
<i>Breen, Pat.</i>	<i>Connolly, Catherine.</i>	
<i>Brophy, Colm.</i>	<i>Daly, Clare.</i>	
<i>Bruton, Richard.</i>	<i>Healy-Rae, Danny.</i>	
<i>Burke, Peter.</i>	<i>Healy-Rae, Michael.</i>	
<i>Butler, Mary.</i>	<i>Healy, Seamus.</i>	
<i>Byrne, Catherine.</i>	<i>Howlin, Brendan.</i>	
<i>Byrne, Thomas.</i>	<i>Kenny, Gino.</i>	

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<i>Cahill, Jackie.</i>	<i>Lowry, Michael.</i>	
<i>Calleary, Dara.</i>	<i>Martin, Catherine.</i>	
<i>Canney, Seán.</i>	<i>McGrath, Mattie.</i>	
<i>Cannon, Ciarán.</i>	<i>Murphy, Catherine.</i>	
<i>Carey, Joe.</i>	<i>Murphy, Paul.</i>	
<i>Casey, Pat.</i>	<i>Nolan, Carol.</i>	
<i>Cassells, Shane.</i>	<i>O'Sullivan, Jan.</i>	
<i>Chambers, Lisa.</i>	<i>O'Sullivan, Maureen.</i>	
<i>Corcoran Kennedy, Marcella.</i>	<i>Penrose, Willie.</i>	
<i>Coveney, Simon.</i>	<i>Pringle, Thomas.</i>	
<i>Creed, Michael.</i>	<i>Ryan, Brendan.</i>	
<i>Crowe, Seán.</i>	<i>Sherlock, Sean.</i>	
<i>Cullinane, David.</i>	<i>Shortall, Róisín.</i>	
<i>Curran, John.</i>	<i>Smith, Bríd.</i>	
<i>D'Arcy, Michael.</i>	<i>Tóibín, Peadar.</i>	
<i>Deering, Pat.</i>	<i>Wallace, Mick.</i>	
<i>Doherty, Regina.</i>		
<i>Donohoe, Paschal.</i>		
<i>Dooley, Timmy.</i>		
<i>Doyle, Andrew.</i>		
<i>Durkan, Bernard J.</i>		
<i>Ellis, Dessie.</i>		
<i>English, Damien.</i>		
<i>Ferris, Martin.</i>		
<i>Fitzgerald, Frances.</i>		
<i>Flanagan, Charles.</i>		
<i>Fleming, Sean.</i>		
<i>Griffin, Brendan.</i>		
<i>Haughey, Seán.</i>		
<i>Heydon, Martin.</i>		
<i>Humphreys, Heather.</i>		
<i>Kelleher, Billy.</i>		
<i>Kenny, Martin.</i>		
<i>Kyne, Seán.</i>		
<i>Lawless, James.</i>		
<i>Madigan, Josepha.</i>		
<i>Martin, Micheál.</i>		
<i>McConalogue, Charlie.</i>		
<i>McDonald, Mary Lou.</i>		
<i>McEntee, Helen.</i>		
<i>McGrath, Finian.</i>		
<i>McHugh, Joe.</i>		

<i>McLoughlin, Tony.</i>		
<i>Moran, Kevin Boxer.</i>		
<i>Moynihan, Aindrias.</i>		
<i>Moynihan, Michael.</i>		
<i>Munster, Imelda.</i>		
<i>Murphy O'Mahony, Margaret.</i>		
<i>Murphy, Eoghan.</i>		
<i>Murphy, Eugene.</i>		
<i>Naughten, Denis.</i>		
<i>Naughton, Hildegarde.</i>		
<i>Neville, Tom.</i>		
<i>O'Brien, Darragh.</i>		
<i>O'Connell, Kate.</i>		
<i>O'Donovan, Patrick.</i>		
<i>O'Dowd, Fergus.</i>		
<i>O'Loughlin, Fiona.</i>		
<i>O'Reilly, Louise.</i>		
<i>O'Rourke, Frank.</i>		
<i>Ó Cuív, Éamon.</i>		
<i>Ó Laoghaire, Donnchadh.</i>		
<i>Ó Snodaigh, Aengus.</i>		
<i>Phelan, John Paul.</i>		
<i>Quinlivan, Maurice.</i>		
<i>Rabbitte, Anne.</i>		
<i>Ring, Michael.</i>		
<i>Rock, Noel.</i>		
<i>Ross, Shane.</i>		
<i>Smyth, Niamh.</i>		
<i>Stanley, Brian.</i>		
<i>Stanton, David.</i>		
<i>Troy, Robert.</i>		
<i>Varadkar, Leo.</i>		
<i>Zappone, Katherine.</i>		

Tellers: Tá, Deputies Seán Kyne and Tony McLoughlin; Níl, Deputies Michael Collins and Brendan Ryan.

Question declared carried.

An Ceann Comhairle: There are 21 minutes remaining and 21 Deputies offering. I ask Members who are not participating to vacate the House quietly, please.

Deputy Micheál Martin: In the programme for Government there is a commitment as follows: "We will consider directly elected mayors in cities". From next Friday it is eight weeks to

the plebiscites on having a directly elected mayor in the cities of Cork, Limerick and Waterford. It was only last week when a memorandum outlining the potential powers of a directly elected mayor was revealed, to some extent. There are indications that some Ministers, including the Minister for Communications, Climate Action and Environment, Deputy Bruton, and the Attorney General have difficulties and reservations about the proposals. I put it to the Taoiseach that there has been the absence of preparations or planning for the plebiscites and that as such there is a very low level of awareness about them among the public. It is not evident in any of the cities that there will be a plebiscite in eight weeks' time on a measure that will fundamentally change local government. I support the concept of directly elected mayors. Given the level of incompetence displayed by the Government in preparing for the plebiscites, a serious question mark must hang over whether they should proceed. I see no proposals before the public and no information before it such that on polling day people will be asking the question, "What is this all about?"

The Taoiseach: I accept that we need to make sure there will be adequate information available before people go to the polls. We have eight weeks in which to do so. The policy paper was approved by the Cabinet last week and there will be a public information campaign to explain what is being proposed. Needless to say, even though it is not a referendum in the constitutional sense, we will be applying the McCrystal rules. Therefore, we will not be able to use any public money to advocate, but there will be a public information campaign to explain to people how the offices will work.

Deputy Thomas Byrne: The children's rights referendum.

The Taoiseach: Point taken. We need to make sure people will understand what they are being asked. Eight weeks is enough time, but we will get on with that work quite soon.

Deputy Mary Lou McDonald: Sinn Féin has consistently advocated the view that there is a need for sentencing guidelines to address sentencing that is inconsistent, inappropriate and, in some circumstances, wholly inadequate. This can happen in sentencing for a wide range of offences, but there have been several cases of sexual offences where the sentence has been difficult to comprehend. We have prioritised the issue and negotiated with the Government for sentencing guidelines to be provided for in the Judicial Council Bill 2017. I understand that amendments prepared on foot of our proposals are ready for publication. Will the Taoiseach give a date for the publication of the amendments and a date for the taking of Committee Stage of the Bill?

Minister for Justice and Equality (Deputy Charles Flanagan): I accept that there is an element of public concern about the matter along the lines of what has been suggested by Deputy McDonald, and that there is a need for greater consistency. I am at an advanced stage of settling a series of amendments, which I expect to have finalised and published within the next week.

Deputy Brendan Howlin: For a number of years, my Labour Party colleagues and I have raised the issue of bogus self-employment, where workers are being persuaded to register themselves as self-employed when they evidently are not. Millions of euro which could be collected as PRSI are being lost to the State, while many thousands of workers are disadvantaged. As the Taoiseach will know, my colleague, Senator Nash, has brought legislation to deal with the issue to the other House. I understand that the Minister for Employment Affairs and Social Protection has brought a memo to the Government on the issue. What concrete measures are proposed

by the Government, and when will we see legislation to outlaw this unacceptable practice?

The Taoiseach: The Deputy is correct that the matter was discussed at the Cabinet meeting today, and it was also discussed last week at the Labour Employer Economic Forum with the Irish Congress of Trade Unions and the Irish Business and Employers Confederation. We acknowledge that there is an issue with bogus self-employment in some sectors but it is worth pointing out that the most recent labour force survey shows that the number of people who are self-employed is going down. The idea, therefore, that there is a massive drift from regular employment to self-employment is not supported by the facts. Among the measures that were approved today is an amendment to the Social Welfare Consolidation Act 2005 to strengthen the powers of the Department's deciding officers to determine whether someone is self-employed, protections against victimisation by people who say they are bogusly self-employed, as well as the establishment of a dedicated unit within the Department of Employment Affairs and Social Protection to carry out greater inspections. Unfortunately, however, we cannot support the Deputy's Bill as proposed because the Attorney General has advised us that it would give quasi-judicial powers to the Workplace Relations Commission, which would not be constitutional.

Deputy Paul Murphy: My question relates to the implementation of the so-called Tyrrelstown amendment, which is aimed at preventing mass evictions of tenants by landlords seeking to sell with vacant possession. There is a terrible situation in Tallaght, which may be one of the first tests of the legislation. In Exchange Hall, more than ten families have received eviction notices. They are mostly people who work in Tallaght Hospital next door, they rely on a network for support of one another, and if they are evicted, they will find it very difficult to find other affordable accommodation. It is clear that the landlord's motive is greed and that it is seeking to maximise profit and selling price by selling with vacant possession, given that the properties are being advertised as such. The tenants are correctly organising and refusing to be evicted, and they will make a complaint to the Residential Tenancies Board, RTB. Does the Taoiseach agree that the eviction notices should be withdrawn, and does he consider it appropriate that the tenants should be forced to approach the RTB to prevent the landlord from breaking the law?

Minister for Housing, Planning and Local Government (Deputy Eoghan Murphy): The RTB exists to adjudicate on tenants' rights and landlords' rights when there is a dispute. There was recently an adjudication on the Tyrrelstown amendment, in which its interpretation and intention were shown to be robust and the amendment was deemed to work. Of the two thresholds that needed to be met, one passed because it was found that it would result in a significant decrease in the value of the property if it was unable to be sold, but in the case of the other threshold it was found that it did not necessitate undue hardship on the person selling the property. While the amendment is relatively new, in the first test it has undergone it has been shown to be successful. Nevertheless, we must keep it under review to ensure that it continues to work in the different cases that arise in the future.

Deputy Mattie McGrath: I raise the decision to remove the post office in Liberty Square in Thurles town. An Post will not listen to anybody but the Minister for Communications, Climate Action and Environment, Deputy Bruton, is present and I hope that he will listen to the people. A large protest march will take place in the town next Friday morning. The people of Thurles town, especially the business people, do not want the post office to be moved out to the shopping centre. It is a case of big business once again swallowing up ordinary people's-----

An Ceann Comhairle: The Deputy could be speaking about any post office in the county.

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Deputy Mattie McGrath: The post office in question is a major one. We have closed enough of them without closing one in the town that is viable and beneficial in the square. It cannot be moved from Liberty Square and it must be left there. The Minister cannot wash his hands of the matter like Pontius Pilate. The Government is responsible and it will know about it come election time.

An Ceann Comhairle: I call Deputies Cahill and Lowry on the same matter.

Deputy Jackie Cahill: The national planning framework for 2040 is an initiative of the Government to support town centres but a semi-State body is flying directly in the face of that. A business man is prepared to buy from An Post the post office building in Thurles, which is a listed building, refurbish it to the highest possible standard and lease it back to An Post. The Minister must direct An Post to allow this to happen because if the closure is allowed to proceed, it will decimate Liberty Square in Thurles.

Deputy Michael Lowry: Will the Minister facilitate a meeting between the Oireachtas representatives for County Tipperary and the chairman and chief executive of An Post to explain the logic, rationale or basis on which An Post is making the decision? It has caused much consternation, particularly among the business community and older people who use the existing post office.

Minister for Communications, Climate Action and Environment (Deputy Richard Bruton): An Post is a commercial State company. It is responsible for its day-to-day decisions and is undertaking a major reorganisation of its services. In that context, it wants to improve the services it provides in Thurles and intends to expand those services in a new premises. I do not have a role in that decision. If Deputies are anxious to call the chairman or chief executive before an Oireachtas committee, that is their right. The company is seeking to deliver a better service for the people of Thurles, which is its motivation, and it is answerable for its decision to its board.

Deputy Margaret Murphy O'Mahony: Bhí sé i gceist agam ceist a chur chuig an Aire Talmhaíochta, Bia agus Mara, ach níl sé anseo. Mar sin, cuirfidh mé an cheist chuig an Taoiseach. Will the Taoiseach provide an update on the application for the shellfish licence in Kinsale, and will he guarantee that the concerns of the local people, residents and clubs will be taken into consideration when the decision is being made?

The Taoiseach: Tá brón orm, ach níl aon eolas agam faoin ábhar sin. I will ask the Minister for Agriculture, Food and the Marine, Deputy Creed, to provide a more detailed reply for the Deputy.

Deputy Bernard J. Durkan: The Garda Síochána (compensation) Bill has been promised for some time. I understand that the heads of the Bill were approved in 2017. When is it likely to come before the House?

Minister for Justice and Equality Deputy Charles Flanagan: The Bill is unlikely to appear during this term. I will communicate directly with the Deputy with more precise information but it certainly will not appear in the next couple of months.

Deputy Fiona O'Loughlin: In 1996, the family of Joyce Quinn were devastated when their loving and beloved wife and mother was brutally raped and murdered. The communities of Milltown, Kildare town, the wider County Kildare and the country were appalled when

everything about the horrific murder emerged. The family, who have had to live with their loss ever since, now have to deal with the possibility of the murderer being released on parole. Milltown and Kildare town are small communities and it would be devastating for the family members to have to deal with facing Joyce's murderer. Three years ago, my colleague, Deputy O'Callaghan, introduced the Parole Bill 2016, which would, among other measures, provide for restrictions to be imposed on released prisoners, such as restricting them from certain areas or from being near certain people. Unfortunately, however, the Bill remains sitting on Committee Stage. When will it proceed through Fourth and Fifth Stages and be enacted? It is important in order that families such as the Quinns and others in such devastating circumstances will not have to be faced with such a scenario.

Minister for Justice and Equality Deputy Charles Flanagan: While it would be inappropriate of me to comment on an individual case, which I am sure the Deputy will accept, the Parole Bill 2016 is a priority in my Department. There are ongoing discussions with the promoter of the Bill, Deputy O'Callaghan, who has been kept fully informed and is assisting with the drafting of some amendments which are necessary to facilitate further passage of the legislation. I accept what the Deputy has said and am keen to progress matters over the next few months.

Deputy Charlie McConalogue: This is a question to the Minister for Housing, Planning and Local Government. It relates to the lack of progress on the publication by the Government and the Minister of a redress scheme to support homeowners who are affected by defective mica-affected blocks in County Donegal. Almost 5,000 were identified in an expert panel report. It is unacceptable that we see the Government continuing to drag its heels and kick the can down the road with regard to this. Every time I have asked the Minister or Taoiseach about this, they indicate that it will happen in a couple of weeks. I have had homeowners ring me to ask when this will come out, saying that their walls will fall down if they do not move soon. It needs to happen now. I ask the Minister for a definitive commitment here today as to when the schemes will be published. I ask that it be done immediately so that homeowners get the support that they need.

Deputy Eoghan Murphy: We are not dragging our heels. A lot of intensive work is happening in the background between my officials and the Minister for Finance's officials. We have discussed it at length on a number of occasions. I was recently in Mayo and met people who are affected by this. I thank everyone in Mayo and Donegal for their patience. We announced in the budget last year that there would be a scheme this year, and that it would be open this year with money available. That remains the case. The Ministers, Deputies Ring and McHugh, spoke to the Minister for Finance about the issue this week. We have almost agreed what the scheme will be. We need to make sure that it is right and that we are able to include the people who need to be included so that they can apply to that scheme, draw down the funding and fix their homes. I cannot be definitive about whether it will be later this week or next week. I said to people in Mayo when I met them that a final memorandum would have to go to Cabinet. There is a process involved in doing that that might take one or two more weeks once the final decision is made, but we are nearly there. I thank people, including the Deputy, for their patience.

Deputy Michael Collins: In the programme for Government, the Government promises to improve services and increase supports for people with disabilities. Sadly, the reality in west Cork and the greater Bandon area is that while young people under the age of 18 with intellectual disabilities have transport to training centres in Cork city, when they reach the age of

18, the transport is discontinued and they receive a travel pass instead. This travel pass is of no use to most of them as many of them do not have the capacity to use it. Instead, their parents have to drive them to the city each morning and collect them each evening, in a two-hour round trip twice daily. I raised this with the former Taoiseach, Deputy Enda Kenny, and with the Minister of State with responsibility for disability to ensure that transport is made available for these young people with intellectual disabilities. The Minister of State told me that a transport service was available for young people with intellectual disabilities from their homes in Dublin. Why do the people from the three peninsulas in west Cork and from Bantry, Skibbereen, Clonakilty, Bandon and Kinsale have no transport service? These people deserve better. Will the Taoiseach do what his predecessor failed to do and provide a transport service for over-18s with intellectual disabilities in west Cork?

The Taoiseach: I am afraid I do not have any information on that matter before me. I will undertake to ask the Minister of State, Deputy Finian McGrath, to furnish Deputy Collins with a more detailed reply.

Deputy Danny Healy-Rae: Safety on our roads is paramount. In Kerry, people are facing turmoil and tears with deer on the roads. The deer are entering towns and villages, and estates around Killarney, and they have taken the place over. Cars are having accidents and people have died. People's cars have been broken and young fellows are crying after paying dearly for insurance and getting their driver's licence. If someone shoots a deer, the national parks, the rangers and the guards all come down on top of them. Yet when the deer damage a car and people are injured or die as a result of these accidents, which has happened, no one does anything about it.

An Ceann Comhairle: The Deputy's time is up.

Deputy Danny Healy-Rae: Will the Taoiseach call out the Army? Will he do something to make our roads safe around Kerry? The deer are taking over.

An Ceann Comhairle: Hold on, Deputy. Will the Minister respond?

Minister for Culture, Heritage and the Gaeltacht (Deputy Josepha Madigan): Anybody can apply to the National Parks and Wildlife Service for a licence. There is also a deer management programme in place for Killarney National Park. I believe a cull is under way there at present. If the Deputy has any specific instances which he would like to bring to our attention, I ask him to do so, please.

Deputy Danny Healy-Rae: It is only tokenism. It is not working.

Deputy Niamh Smyth: The programme for Government contains a commitment to building the capacity for our emergency and acute services, but we have a significant issue in Cavan and Monaghan relating to the staffing of our ambulance service. I have raised the issue with the Taoiseach in the Chamber on a number of occasions because lives in the constituency are at risk. Many months ago, there was an announcement that six new staff were coming to the ambulance service, especially for Monaghan and Castleblayney. New rosters were drawn up and the current staff are now operating with the new rosters but without the six new staff. They are under extreme pressure and at times there is one member of staff who is operating the service and expected to respond to an emergency call. These staff will be protesting outside Leinster House tomorrow to make their views known. I encourage the Taoiseach and the Minister for Health to be there to listen to them. The six staff that were promised have never materialised.

Will the Taoiseach ensure that they do and that these staff are not still under the pressure that they are currently?

The Taoiseach: As the Deputy knows, it is an objective of the Government to improve ambulance response times throughout the country. To achieve that, we have increased the budget of the National Ambulance Service every year for four or five years. That has allowed for the purchase of new ambulances, improvements to ambulance bases and technology, pay restoration for staff, and new posts. I understand that there can be difficulties with recruitment, as is the case across the economy. With regard to industrial relations issues in any specific part of the public service, neither I nor any Minister can get directly involved but I will certainly make the Minister for Health aware that Deputy Smyth raised it here.

Deputy Michael Healy-Rae: In the past, thankfully, large cruise ships have landed in Dublin, Cobh and, after much campaigning, we have been successful in securing boats like these to land and let their passengers off in Valentia in the deep water that we have in south Kerry. Unfortunately, an issue that has arisen because of Brexit is that land required for facilitating these landings here in Dublin will be taken away in 2020, which will mean that the number of landings of these ships will be drastically reduced, which will have a significant knock-on effect for our economy. When one of these ships lands, the number of people who come on shore and spend a lot of money, refurbishing the boat and supplying food and drink, provide a significant boost to our economy. What can be done in Dublin to ensure that some alternative to the land that will be taken away can be put in place to allow the number of landings that we have now to continue post Brexit? It is an important issue with a lot of jobs and a lot of money for the economy.

The Taoiseach: The Deputy raises an important issue. Cruise tourism is growing all the time and can be very valuable to the local economy, whether in Dublin or in Kerry. I know that cruise ships even go into Foynes and from there to Kerry. We want to support it but since it is a commercial enterprise, we cannot subsidise it or provide grant aid. Any proposition has to be commercial. With regard to Dublin, the restrictions will mean that for a number of years, only 80 cruise ships will be able to dock at Dublin Port, so they will have to go elsewhere. I know that other options are under consideration. An obvious one is Dún Laoghaire, which is not that far away.

An Ceann Comhairle: Seven Deputies remain. In light of the length of time for which they have waited, I commit to taking those seven Deputies first tomorrow.

Parental Bereavement Leave (Amendment) Bill 2019: First Stage

Deputy Anne Rabbitte: I move:

That leave be granted to introduce a Bill entitled an Act to amend the Parental Leave Acts 1998 and 2006 to make provision for an entitlement to bereavement leave to an employee who is a bereaved parent of a child who has died and to provide for related matters.

There is no statutory entitlement to bereavement leave in legislation. While it is normally granted at the discretion of the employer, as legislators, we need to ensure bereaved parents will have one less source of stress at a time when their lives have been shaken to the core. Owing to the lack of legislation there is a grey area in law, which is unfair on employees and employers.

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As matters stand, those who find themselves in such a period of tragedy often do not know what their entitlements are and this can needlessly cause distress. Often employers provide bereavement leave on the basis of *force majeure*, but it is often limited. While some workplaces may also provide compassionate leave, it is very much at the employer's discretion. Employees should not have to negotiate to take leave at a time when they have lost a child. That is simply unfair. While most employers are sympathetic at a time of such heartbreak, not everyone is and this needs to change. The Bill is short and the purpose of the adjustment is not only to have a more compassionate approach adopted but also to provide clarity and for balance for employees and employers. The Bill defines "a child" as a person younger than 18 years and includes a stillborn after 24 weeks of pregnancy. The period of leave would be for not less than ten working days and the leave shall be taken by the end of day 42 following the child's death and from day one of the 42 days.

I look forward to discussing the Bill further on Second Stage and hope we can ensure a more compassionate approach is adopted in this area.

An Ceann Comhairle: Is the Bill opposed?

Minister of State at the Department of the Taoiseach (Deputy Seán Kyne): No.

Question put and agreed to.

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

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

Question put and agreed to.

Ábhair Shaincheisteanna Tráthúla - Topical Issue Matters

An Ceann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 29A and the name of the Member in each case: (1) Deputy Martin Kenny - to discuss Bus Éireann wheelchair accessible transport between Donegal town and Sligo; (2) Deputy Fergus O'Dowd - to discuss the allocation of home care hours by the HSE for persons in the CH0 8 area; (3) Deputies Seamus Healy and Mattie McGrath - to discuss the changes to municipal districts in County Tipperary and the re-establishment of borough and town councils; (4) Deputy Niamh Smyth - to discuss the urgent need for women's refuge facilities in the constituency of Cavan-Monaghan owing to an increase in the number of domestic violence incidents; (5) Deputy Mary Butler - to discuss Rebuilding Ireland home loan finance for Waterford City and County Council; (6) Deputy Margaret Murphy O'Mahony - to ask the Minister for Agriculture, Food and the Marine to provide an update on a shellfish licence application for a mussel farm off Kinsale Harbour, County Cork under the name of Woodstown Bay Shellfish Limited and whether the concerns of local residents, clubs and organisations will be taken on board with regard to the scale of the mussel farm in question and the associated impact of the mussel farm; (7) Deputy John McGuinness - to discuss with the Minister for Children and Youth Affairs the current crisis in not-for-profit services throughout the country; (8) Deputy Michael McGrath - to ask the Minister for Health to outline the position on funding for the building of phases 2, 3 and 4 of the Cork University Hospital paediatric

development, informally called Munster children's hospital; (9) Deputies Gino Kenny, Eoin Ó Broin and John Curran - to discuss the lack of up to 20 junior infants places in Rathcoole in September 2019 and the future provision of primary school capacity in Rathcoole; (10) Deputy Éamon Ó Cuív - to discuss the future of orthopaedic facilities that have been out of commission at Merlin Park Hospital; (11) Deputy Michael Fitzmaurice - to discuss the number of people who are seeking appointments to convert their driving licence from a British to an Irish one but who are not being facilitated; (12) Deputy John Brady - to seek an update on plans to establish a Jigsaw service in the Wicklow area; (13) Deputy Frank O'Rourke - to discuss the need for public transport improvements in north Kildare, specifically BusConnects in the Celbridge area; (14) Deputy Gerry Adams - to discuss growing public concern about drugs related intimidation in County Louth, the threat it poses to communities and the Government's response; (15) Deputies Alan Kelly and Jackie Cahill - to ask the Minister for Communications, Climate Action and Environment to ask An Post to review the decision to move the post office from Liberty Square to Thurles Shopping Centre; (16) Deputy Pat Buckley - to discuss the need for greater mental health supports for third level students; (17) Deputies Clare Daly and Mick Wallace - to discuss the illegal Israeli occupation of the Golan Heights and its endorsement by the United States and the decision of President Trump to recognise the Golan Heights as part of Israeli territory; (18) Deputy Maureen O'Sullivan - the issue of two American veterans, Tarak Kauff and Ken Mayers, being held in custody in Limerick Prison who are both members of US Veterans for Peace that is protesting against US military use of Shannon Airport; (19) Deputy Donnchadh Ó Laoghaire - to discuss the need to publish the Cork metropolitan area transport strategy; (20) Deputies Fiona O'Loughlin, Thomas Byrne, Sean Fleming and Barry Cowen - to discuss the current situation in the provision of a new school building at St. Paul's, Monasterevin; (21) Deputies Noel Rock and Ruth Coppinger - to discuss taxpayer funding of the Football Association of Ireland being contingent on an independent examination of FAI management and finances and financial management in the FAI; (22) Deputies Pat The Cope Gallagher and Pearse Doherty - the need to discuss the future of three community hospitals in County Donegal, St. Joseph's Community Hospital, Stranorlar; Lifford Community Hospital and Ramelton Community Hospital, and to ask the Minister for Health if he will provide a timeframe for when refurbishment works are expected to commence as part of the planned upgrading of nursing units at St Joseph's Community Hospital and Ramelton Community Hospital, whether funding has been approved and allocated for these projects; if he will give details of the proposals being considered with respect to the future of services at Lifford Community Hospital; and if he will make a statement on the matter; (23) Deputies Bernard J. Durkan and Kate O'Connell - to discuss with the Minister for Finance the proposal to render homeless a couple and their children in Dublin 4 by Pepper Finance, acting as agents for Goldman Sachs, bankers, in respect of their property, including their family home, and the necessity for the Central Bank to recognise the helplessness of the family in such circumstances, given the countless representations made by two Members of the Oireachtas in offering to intervene in a helpful way which have been rejected, thereby highlighting the necessity for third party intervention before the execution of court proceedings, given that the family continue to make payments in line with their capacity to do so; (24) Deputy Louise O'Reilly - to discuss the ongoing developments in relation to the proposed cannabis access programme; and (25) Deputy Peadar Tóibín - to discuss supports for small businesses that are under pressure because of Brexit and retail business migrating to the Internet.

The matters raised by Deputies Martin Kenny, O'Dowd, Ó Cuív, Healy and Mattie McGrath have been selected for discussion.

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Ceisteanna - Questions

Scéimeanna Teanga

1. **Deputy Micheál Martin** asked the Taoiseach the status of the language scheme in his Department. [9379/19]

2. **Deputy Mary Lou McDonald** asked the Taoiseach if he will report on the status of the Irish language scheme of his Department. [10477/19]

3. **Deputy Brendan Howlin** asked the Taoiseach the status of the language scheme in his Department. [10679/19]

4. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on the status of the Irish language scheme in his Department. [14253/19]

The Taoiseach: Tairgim Uimh. 1 go 4 a ghlacadh le chéile.

Faomhadh scéim teangacha oifigiúil mo Roinne faoi Acht na dTeangacha Oifigiúla 2003 in 2016. Cumhdaíonn sí an tréimhse trí bliana ó 2016 go 2019. Cuimsítear sa scéim reatha, atá ar fáil ar gov.ie, roinnt gealltanais atá in ainm is a chinntiú gur féidir le haon chustaiméirí de chuid Roinn an Taoisigh, ar mian leo tabhairt faoina ngnó trí Ghaeilge, é sin a dhéanamh.

Tá obair ar siúl faoi láthair chun scéim teangacha oifigiúla nua a fhorbairt. D'fhoilsigh an Roinn a fógra rúin chun scéim nua a ullmhú ar an 28 Samhain 2018 agus thug sí cuireadh d'aighneachtaí ó gach páirtí leasmhar ar spéis leo maidir leis an scéim nua a ullmhú. I ndiaidh comhairliúcháin laistigh den Roinn, tá obair ar an scéim nua beagnach i gcrích. Leagfar amach sa scéim na seirbhísí a sholáthraímid trí Ghaeilge agus na bearta a bheartaímid a ghlacadh lena chinntiú go gcuirfeadh aon sheirbhísí nach bhfuil á gcur ar fáil trí Ghaeilge faoi láthair, ar fáil trí Ghaeilge le himeacht ama.

Fad a bhíonn an scéim seo á hullmhú, tugtar an aird mar is cuí ar na treoirlínte a d'eisigh an Roinn Cultúir, Oidhreacht agus Gaeltachta. Cé nach dtugann mo Roinn leibhéal suntasach d'éileamh ón bpobal ar sheirbhísí i nGaeilge faoi deara, aithníonn sí an tábhacht a bhaineann le foireann a bheith aici atá líofa sa Ghaeilge agus in ann seirbhísí a sholáthar trí Ghaeilge agus leanfaidh sí le hamhlaidh a dhéanamh.

Deputy Micheál Martin: Chuir mé an cheist seo síos ar 20 Feabhra. Is olc an scéal go bhfuilimid anseo inniu i mí an Mhárta ag déileáil léi. Mar is eol don Taoiseach, tá dualgas air scéim faoi leith ó thaobh an teanga a chur chun cinn laistigh don Roinn. Ba é an spriocdháta i gcomhair submissions 1 Eanáir. Cathain a bheidh an plean sin críochnaithe agus foilsithe ag an Roinn? Maidir le hoifigigh na Roinne, cé mhéad dóibh a bhfuil cumas sa Ghaeilge acu agus atá in ann a gcuid ghnó a dhéanamh trí Ghaeilge? An bhfuil an figiúr sin maidir le hoifigigh a Roinne féin ag an Taoiseach? Mar is eol don Taoiseach, cháin Conradh na Gaeilge cáináisnéis 2019 - an budget - de réir an mhéid airgid a fuair an Ghaeilge. Bhí Conradh na Gaeilge ag lorg €10 milliún breise le linn 2019 ach ní bhfuair sé ach €5 milliún. Bhí muintir na Gaeltachta míshásta leis an méid a cuireadh ar fáil do na Gaeltachtaí sa bhuiséad chomh maith. Tá deacrachtaí ag baint leis na Gaeltachtaí. Tá dúshlán an-mhór amach rompu, go háirithe i dtaobh na meán cumarsáide agus i dtaobh labhairt na Gaeilge. Tá deacrachtaí ann sa

chóras oideachais chomh maith. An bhfuil an Rialtas sásta níos mó tacaíochta a thabhairt do na múinteoirí atá ag múineadh trí mheán na Gaeilge sna Gaelscoileanna agus sna meánscoileanna lán-Ghaeilge chomh maith? An bhfuil aon phlean ag an Rialtas chun déileáil leis an easpa múinteoirí Gaeilge faoi láthair? Tá easpa ann anois. Tá deacrachtaí ag na meánscoileanna múinteoirí Gaeilge a fháil agus a fhostú. Is ceist phráinneach í seo. An bhfuil aon phlean ag an Rialtas chun an fhadhb sin a réiteach?

Deputy Mary Lou McDonald: Gabhaim buíochas leis an Taoiseach as ucht a chuid fhreagra. Tá súil agam gur bhain gach éinne sonas agus sásamh as Seachtain - nó coicís - na Gaeilge. An mbeidh tuairisc nua maidir le dul chun cinn Roinn an Taoisigh faoin straitéis 20 bliain ar fáil go luath? Baineann an tuairisc is déanaí le dul chun cinn na Roinne faoin straitéis ón mbliain 2015. Sin beagnach ceithre bliana ó shin. Impím ar an Taoiseach é sin a réiteach láithreach. Ba mhaith liom ceist dhíreach a chur ar an Taoiseach; cathain a bheidh Bille na dteangacha oifigiúla (leasú) foilsithe? Bhí sé le déanamh an bhliain seo caite. An féidir leis an Taoiseach dáta a thabhairt dom inniu?

Deputy Brendan Howlin: Mar is eol do chách, bhí ráitis againn sa Teach seo i rith Sheachtain na Gaeilge. Sa díospóireacht sin, dúirt mé gur cúis díomá dúinn é nach bhfuil sé ar chumas fhormhór na ndaltaí an Ghaeilge a labhairt go líofa tar éis na blianta a chaitheamh inár scoileanna ag foghlaim na teanga. Tá dualgas faoi leith orainn aire a thabhairt dóibh siúd a bhfuil an Ghaeilge acu agus atá ag lorg an teanga a úsáid ina gcuid ghnó leis an Rialtas, go háirithe le Roinn an Taoisigh féin. Ón méid atá ráite ag an Taoiseach inniu, níl sé soiléir dom go bhfuil deis á tabhairt do chuile shaoránach agus chuile dhuine an Ghaeilge a úsáid agus iad ag déanamh a gcuid ghnó lena Roinn féin. Más sin an scéal, an bhfuil an Taoiseach sásta leis? Cathain a mbeidh an fhadhb sin réitithe?

The Taoiseach: Níl mé ullmhaithe le haghaidh gach ceist; therefore, with the Ceann Comhairle's indulgence, I will reply in both English and Irish.

Deputy Micheál Martin asked about an buiséad, an cáinainéis don Ghaeilge, faoi Chonradh na Gaeilge, faoi Fhoras na Gaeilge agus faoi Údarás na Gaeltachta. In the last budget which, of course, was for this year there was an increase in funding of 12% for the Gaeltacht and the Irish language more broadly, which was in line with the increases we provided across the board for the arts, culture and sport. Providing the economy allows it, I anticipate that we will continue to increase funding by about 10% to 12% a year, thus meeting the target of doubling funding for the Irish language and the Gaeltacht by 2025. Some of the money has gone to Údarás na Gaeltachta to invest in job creation, while other moneys have gone to Foras na Gaeilge for language promotion and so on.

On the support given to teachers to teach Irish, it is an area in which there is a real difficulty in recruiting teachers. There is a shortage of teachers with degrees in Irish, largely because of the number of people graduating and the number of other job opportunities in places such as the European Commission-----

Deputy Micheál Martin: Tá sé ró-chostasach, it is too expensive.

The Taoiseach: To do what? To study Irish.

Deputy Micheál Martin: To study teaching in Ireland at second level.

The Taoiseach: I understand there were schemes under which teachers received funding or

bursaries to take a master's degree in education, for example. I know that the Minister, Deputy Bruton, is examining whether we can restore any of those measures.

To respond to Deputy Howlin's comments, what we fundamentally need to do is provide more opportunities to use the language in a more normal environment. The Deputy is correct in saying children learn it and that students leave school after ten to 13 years without being fluent. Many of us fall into that category. It comes down to having more everyday opportunities to use the language, practise it and be exposed to it. That is why it is really important that Government bodies provide services in the language.

Cabinet Committee Meetings

5. **Deputy Joan Burton** asked the Taoiseach when Cabinet committee B (Social Policy and Public Services) last met; and when it is scheduled to meet again. [9423/19]

6. **Deputy Mary Lou McDonald** asked the Taoiseach when Cabinet committee B (Social Policy and Public Services) last met; and when it is scheduled to meet again. [10479/19]

7. **Deputy Brendan Howlin** asked the Taoiseach when Cabinet committee B (Social Policy and Public Services) last met; and when it is scheduled to meet again. [10480/19]

8. **Deputy Richard Boyd Barrett** asked the Taoiseach when Cabinet committee B (Social Policy and Public Services) last met; and when it is scheduled to meet again. [10926/19]

The Taoiseach: I propose to take Questions Nos. 5 to 8, inclusive, together.

Cabinet committee B last met on 21 February. The date of the next Cabinet committee meeting has not yet been finalised. Cabinet committee B covers social policy and public services, including education, children, the Irish language, arts and culture, and also monitors continued improvements and reform of public services. More broadly, the Government has sought to introduce reforms through Cabinet committee B which ensures the gains from recent economic growth are shared fairly with all citizens to create a socially inclusive and fair society, with opportunities for everyone to flourish. Among the matters that have received attention and scrutiny by the Cabinet committee are the new affordable childcare arrangements; the recently launched national childcare scheme; child protection and welfare issues, particularly those related to Tusla; social enterprise and the new social enterprise strategy; immigration and direct provision issues; the publication of the LGBTI+ national youth strategy; the action plan for online safety; the ratification of the UN Convention on the Rights of Persons with Disabilities and a range of gender equality actions. In addition to meetings of the full Cabinet and Cabinet committees, I often meet Ministers on a bilateral basis to focus on particular issues, including those related to social policy and public services.

Deputy Brendan Howlin: Last week the Fund the Future campaign was launched by the Coalition for Publicly Funded Higher Education. The Taoiseach will be aware of same. It is seeking a commitment to the funding of higher education. Michael Brennan reported in the *Sunday Business Post* that the extra revenue raised through the national training fund increases had been used to reduce the core contribution of the Government to third level institutions. Is that correct? In effect, there was a €15 million cut in Government funding, which was offset by €51 million in additional revenue from the national training fund. Some €36 million covered

the cost of additional pay under the public sector agreement, while there was €16 million to meet the cost of increased student numbers. There was, however, no additional funding for new initiatives, which is not right. I ask the Taoiseach to address that issue. It is three years since the Cassells report was published in March 2016 on the funding of third level education. There are big issues to be dealt with, but there are really important issues to be dealt with related to the future of third level education in Ireland. I specifically ask the Taoiseach when the Government will make a decision on how the critically important area of third level education will be funded into the future?

Deputy Mary Lou McDonald: Last Friday the HSE published Dr. Gabriel Scally's progress report on the implementation of recommendations made in the CervicalCheck scoping inquiry. It should be acknowledged that Dr. Scally has said he is encouraged by the progress made to date. However, there are a number of issues raised in his report that warrant our attention. He notes that a significant number of actions are due for completion in the second quarter of this year and that they need to be managed closely to ensure the timeframes set will not slip. I was very alarmed to learn that there were few, if any, departmental staff for whom the implementation of the recommendations was their dedicated task. Dr. Scally has warned that as the recommendations impact across divisions and units, careful monitoring will be needed. Surely, given the scale of the challenges and the nature of the crisis and for the 1.2 million women who rely on cervical screening programmes, the Minister for Health should appoint staff full time within his Department to ensure the inquiry's recommendations will be implemented. It should also be noted that the issue of open disclosure continues to present a problem. Dr. Scally's inquiry described the policy and practice on open disclosure as contradictory and wholly unsatisfactory. The Taoiseach might recall his commitment when Minister for Health over three years ago to enshrine open disclosure in legislation. The inquiry found that there was no compelling requirement for clinicians to disclose. Dr. Scally's latest report finds that the deeply flawed policy on open disclosure remains in place, which is not good enough. It is unacceptable that the paternalistic model of relationship between women and their clinicians continues in the health service and that there appears to be absolutely no sense of urgency on the part of the Government to fix it. When will the long-awaited patient safety Bill be introduced in order that women can be confident that all information will be disclosed to them?

Deputy Richard Boyd Barrett: This morning I attended the latest meeting of the Raise the Roof housing campaign. It was agreed that there would be another major demonstration on 18 May because of the failure of the Government to address the housing crisis and provide the desperately needed public and affordable housing required to address the housing emergency. I have to say one aspect of the Government's policy commitments has been talking about the social mix and affordable housing. On Friday there were promises to provide 6,000 affordable homes with no fanfare and I am not terribly surprised when the contents are looked at. The Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, published the regulations on affordable housing. We have been promised 6,000 affordable homes, but not a single one has been delivered. We have been waiting for two years for the regulations, but what is in them? There is absolutely nothing in them that will do anything to provide affordable housing. They talk about 40% of the market price being the discount that will be offered. In south Dublin the average house price is €590,000. A 40% discount will not help to provide affordable housing for those on low and average incomes. As it does not even include income eligibility criteria, we do not know who will actually be able to apply and, most importantly, there are no affordable houses planned to be delivered. Could the Taoiseach blame us for thinking we have to get out on the streets again in advance of the local elections to say the Government

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has failed, that it is not delivering on the promises it made, that there is not a single affordable home being delivered and that the affordable home scheme the Government is offering will not actually deliver affordable homes?

Deputy Micheál Martin: I congratulate the Taoiseach on the fact that in less than six months he has managed to reduce the claimed cost of his tax cut promise in half without changing anything about it. At the weekend he claimed that there were clear plans in place for public services and social policies and that they all could be implemented and still leave room for a tax cut which supposedly is so significant that it is the only new budget policy announced since the budget. People will be aware of a detailed and costed proposal that the Taoiseach developed in opposition before the last general election when he said he would abolish the universal social charge. He said in an interview at the weekend that the Government had given very detailed consideration to the proposals and that it proposed to abolish USC at the cost of billions of euro. Of course, it was abandoned as soon as the election came in afterwards. On this proposal, has the Government prepared any particular study or is it still relying on the documents published with the budget last year? We still do not have full transparency on the budgetary figures for next year in terms of what is available next year to spend. What is the amount that the Government will have at its disposal within the fiscal framework and rules to allocate to services and to tax issues?

In recent days the Minister for Employment Affairs and Social Protection has said once again she believes the pension increases for old age pensioners, which we insisted on in the last budget and the one before, should be reduced and kept in line with lower benchmarks. The Taoiseach will remember that in August 2017, the Minister announced that Fine Gael was not committed to a pension increase of €5 and that the money should go elsewhere. After that bit of honesty, there was an attempt at a massive clean-up operation, which ended in the ridiculous sight of Fine Gael Ministers issuing press releases claiming credit for pension increases they had actually opposed. The clear implication of the Minister's words is that this determination to reduce pension increases below levels received by other groups remains as strong as ever and is core Fine Gael policy. Will the Taoiseach confirm that the Minister is not going rogue and that she has the right to speak on behalf of her party and the Government on pension matters? If, on the other hand, she is going rogue and the Taoiseach does not support her statements, will he be taking any action to correct the record?

The Taoiseach: There have been increases of funding for the third level sector for the past couple of years running. There is funding in Project Ireland 2040 for a building programme. Anyone who visits our third level institutions regularly will see the number of new buildings that have been constructed in our universities and institutes of technology, ITs. I acknowledge that it is not all public money but some of it is. There is a lot of building under way across our universities and ITs. We have also established the first technological university in Ireland, TU Dublin, and I hope Munster and the south east will also come through this year. There has been funding for pay restoration and pay increases for staff. There has also been funding for extra students.

I will have to check into the specific issue Deputy Howlin raises in respect of the National Training Fund money. My understanding was that a 0.1% increase in the national training levy raises about €50 million, which would be additionality and would not be offset by a cut in funding from central Exchequer, but I will double check that. I do not think it is so, but if it is, I had better know about it. I will check it out. We have also identified a super surplus in the National Training Fund of €300 million, which will be available as part of a human capital initiative for

third level institutions to bid for.

In terms of future funding, the model of increasing the National Training Fund by 0.1% has been largely accepted by employers. I thank employers for accepting that small increase in the contributions and payroll taxes they pay every year. It provides an extra €50 million a year for higher education.

Deputy Micheál Martin: The Exchequer took it back.

The Taoiseach: In fairness to employers, they recognise that this is an investment in their future workforce among other things. Provided we continue to have economic growth, we will be able to provide additional funding from central taxation as well. In terms of student contributions, as I have said before in the House, I am very reluctant to see student contributions being raised. I am very reluctant to go down the model of a student loan system because I see in other countries how that leaves students graduating from college with very large debts. To a certain extent that is true in England and it is very true in the United States. That has long-term consequences. One of the reasons healthcare is so expensive in the United States is that people graduate from medical and nursing school with such high debts. That gets reflected on in terms of the cost of healthcare.

Deputy Brendan Howlin: None of them could afford to go into politics.

The Taoiseach: I am not enthusiastic about or inclined to go down the road of increased student contributions or a student loan system for that reason. On the Scally report, I thank Dr. Scally for the work he did in preparing it in the first instance and the ongoing work he is doing for Government in monitoring its implementation. We want to make sure it gets implemented and that is why we have asked him to come back every three to six months to do a progress report. People who have seen his progress report will know that a lot of progress has been made in some areas while a lot more needs to be made in others.

On open disclosure, the Civil Liability (Amendment) Act has been commenced so the protection of open disclosure is provided for in legislation now. The next step is the patient safety Bill, which is to make it mandatory in certain circumstances, particularly for serious events but more broadly than that. I understand the heads are at committee for scrutiny at the moment and we anticipate having it in the House later in the year.

The delivery of affordable housing is of course a Government priority. The best way to make housing affordable is supply because supply will help to moderate and bring down the cost of housing. There were 18,000 new homes built last year, more than any year this decade-----

Deputy Richard Boyd Barrett: The crisis is still going on.

The Taoiseach: -----and we are aiming for about 25,000 this year and 30,000 the year after. We are seeing evidence now of house prices stabilising. There is even evidence that they are falling in the Dublin area. That is what the latest results say. It is too early to read too much into that and there are other factors at play. I acknowledge that. There is very strong evidence now of a slowdown in house prices and maybe even a fall in house prices in Dublin, and a lot of that is connected to the additional supply. It is not true to say there is not a single affordable home. The average price of a house outside the Dublin area is €250,000 and in many counties it is possible to buy a home for €100,000 to €150,000. I acknowledge that this is not the case in all parts of the country and that is why we need special affordability schemes in places like

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the Dublin area. They are under way. Other things are available too, of course, like the help to buy scheme, which has helped 10,000 first-time buyers to put together a deposit for their home, and the Rebuilding Ireland loan, which has helped hundreds of people to afford a home they otherwise would not have been able to afford.

On the projections for the budget for this year and next, we intend to have a summer economic statement as normal in the next couple of months, probably in April or May. That should allow us to set out the budget parameters for 2020, but obviously Brexit does affect that.

Deputy Micheál Martin: The Minister was saying he was going to change those parameters. Every year up until now we have had what we call the fiscal space figure. It has been conspicuously absent and has not been provided. The Taoiseach might check that.

The Taoiseach: I do not think we had that last year. I think we are trying to move away from the idea.

Deputy Micheál Martin: Why not have the information anyway? It is up to the people to decide what to do with it.

The Taoiseach: The data the Minister will make available will be available in the summer economic statement, which should happen in April or May. On the issue of pensions, if I recall correctly, the Fine Gael general election manifesto included a commitment to increase the pension by €5 a year, which is exactly what we have done. I think the Fianna Fáil one tried to outbid us by going for €6 a year. I may be mistaken but that is my recollection.

Deputy Micheál Martin: The Taoiseach is mistaken there.

The Taoiseach: We have implemented that commitment by increasing it by €5 a year.

Deputy Micheál Martin: The Minister for Employment Affairs and Social Protection has announced she wants increases just to be at the cost of living.

The Taoiseach: The pension has been increased by almost €1,000 a year since this Government of Fine Gael and Independents took up office. What the Minister is talking about is indexation. I spoke about it myself when I was Minister for Social Protection. It is broadly supported by the charities and the NGO sector. It is done with the purpose of it being a floor, not a cap.

Deputy Micheál Martin: Not last year.

The Taoiseach: One would index pensions and social welfare. They could be indexed to inflation or to wages or lots of other things. If they were indexed to inflation, increases would be much less than they have been.

Deputy Micheál Martin: The Minister wanted it to be the increase last year.

The Taoiseach: If they were indexed to wages, they would be greater than they have been. Indexation would never predetermine the outcome. It would just set a floor. The Government could and should do better if it can afford to do so.

Cabinet Committee Meetings

9. **Deputy Brendan Howlin** asked the Taoiseach when Cabinet committee F (national security) last met. [9513/19]

10. **Deputy Joan Burton** asked the Taoiseach if he will report on his plans to establish a strategic threat analysis centre. [13947/19]

11. **Deputy Mary Lou McDonald** asked the Taoiseach when Cabinet committee F (national security) last met; and when it is scheduled to meet again. [12014/19]

The Taoiseach: I propose to take Questions Nos. 9 to 11, inclusive, together.

The committee last met on 8 February. The meeting was attended by Ministers and senior officials from the Departments of Finance; Public Expenditure and Reform; Foreign Affairs and Trade; Justice and Equality; Health; Communications, Climate Action and Environment; Transport, Tourism and Sport; Housing, Planning and Local Government; and Defence. The next meeting of Cabinet committee F will be held next week. The role of Cabinet committee F is “to keep the State’s systems for the analysis of, preparation for, and response to, threats to national security under review and to provide high-level [and political] coordination [among] relevant Departments and agencies on related matters”.

In December 2018, Government published A Policing Service for the Future, the implementation plan of the report on the Commission on the Future of Policing. This is an ambitious but realistic four-year plan set out across four key phases, which will deliver a modern, highly professional, human rights-based police service.

Cabinet committee G provides political oversight of this programme of reform.

The Commission on the Future of Policing in Ireland published its report in September 2018 outlining a clear vision and roadmap for strengthening An Garda Síochána and the broader national framework for policing, security and community safety. The commission’s recommendations include the establishment of a strategic threat analysis centre, STAC. In December 2018, the Government published A Policing Service for the Future, a four-year plan covering the years 2019 to 2022, to implement the commission’s report, including the establishment of the new centre. We have decided that the new centre will be renamed the national security analysis centre, but its role and functions will be based on the recommendations of the commission. Work is under way on the identification and securing of premises, the procurement of IT systems, and the staffing of the centre. I expect the post of director to be advertised this week.

Deputy Brendan Howlin: An Irish citizen, Ms Lisa Smith, is in a camp in north-eastern Syria, with her two year old daughter, Ruqayya. The 37 year old Dundalk woman has obviously made very poor personal choices and is responsible for the situation in which she finds herself. However, there is a two year old girl, an Irish citizen, involved in this who deserves a future. The Tánaiste has said that there is a duty of care. We understand that the Department of Foreign Affairs, the Department of Defence, and the Department of Justice and Equality have had meetings and are co-ordinating the State’s response to this matter. Has this been discussed by the Cabinet sub-committee? What specific efforts are being made to return Lisa and her daughter to Ireland? It is reported that aid workers from the Red Cross have been approached directly and asked to get her home. When Ms Smith arrives home has it been determined how

she will be treated?

In a related matter, recently shocking attacks were carried out in New Zealand by a far-right terrorist group. Such attacks have caused great concern, particularly among the Muslim community across the globe, but also in this State. Has An Garda Síochána consulted with the Muslim community in Ireland about its security? Have any concerns it has expressed been addressed, and are particular measures being put in place to give security and confidence to that community?

Deputy Joan Burton: Where will the strategic threat analysis centre be located? Will it be a part of the Department of the Taoiseach, the Department of Defence or the Department of Justice and Equality? Will the Taoiseach explain the reasons it will be located in a specific Department?

One of the strategic threats I am most aware of, as a member of a family with many members who served in our Defence Forces, including my father, is that people are walking out of the Army at the moment. They are buying themselves out where they can afford to. The same is true of the Air Corps, which I know the Taoiseach is very familiar with, given that it was once in our joint constituency but is now in Dublin Mid-West. The personnel shortage crisis developing in the Army requires an urgent response. It is also the case that a three-star private in the Army cannot, on his or her current salary scale, afford to buy an affordable home. Most of those privates do not qualify for social housing, although a number of members of the Defence Forces qualify for a working family payment if they have a number of children. Does the Government have any proposals to ensure that serving members of the Defence Forces who do one or two contracts or perhaps serve three or four times overseas can be housed? They should have access to affordable housing. Those who are not ready to buy a house should have access to an affordable social rent. At the moment these things are not possible. Every week people who have retired from the ranks stand before the gates of Leinster House and seek to explain the situation to us in detail. It is the most fundamental threat our Defence Forces have faced in a long time.

Deputy Micheál Martin: In spite of months of denials it appears that there have been very substantial discussions with the European Union on how cross-Border trade will be handled in the event of a no-deal situation. Will the Taoiseach explain how these discussions match with the countless assertions he has made to the effect that nothing will be discussed until a no-deal Brexit actually happens? Will he confirm that Chancellor Merkel asked Commission officials to get on with making arrangements for the Border in the context of a no-deal situation arising?

The Minister for Transport, Tourism and Sport, Deputy Ross, got into some trouble a few months ago when he said that plans were being drawn up and that there would be checks at the Border in the event of a no-deal Brexit. He was immediately slapped down by the Tánaiste at the time on the grounds that we did not want it to appear that Ireland was bringing in any checks. The suggestion was that the Minister, Deputy Ross, did not know anything and the notion that he was a bit of an ignoramus was put out by Fine Gael spin doctors.

Deputy Brendan Howlin: Do not give a dog a bad name.

Deputy Micheál Martin: We are now three days ahead of what was due to be Brexit day, and it is two weeks until the next possible no-deal deadline on 12 April. It is being reported again that there were discussions around this matter at the weekend. Any contingency planning required should have been completed by now. Will the Taoiseach be open with the people and

detail exactly what will happen in the likely Brexit scenarios, in particular if no deal is reached? What is his sense of what will happen with the Border now? What has been proposed and what has been discussed with the Commission? When will the Taoiseach's office finally supply the information on our levels of Brexit preparedness which he promised to forward to me three weeks ago? We hope we do not arrive at a no-deal situation and that the UK will develop a coherent pathway out of this. That is significantly at risk at the moment, however, considering everything else going on there.

Acting Chairman (Deputy Eugene Murphy): I call Deputy Boyd Barrett.

Deputy Richard Boyd Barrett: Deputy McDonald was supposed to speak before both me and Deputy Micheál Martin.

Acting Chairman (Deputy Eugene Murphy): My deepest apologies. I have just taken over from the Ceann Comhairle.

Deputy Mary Lou McDonald: It is all right. I want to place on the record, on my own behalf and on behalf of Sinn Féin, our sincere and heartfelt sympathies to the families and friends of those killed and injured during the horrific attack in Christchurch and to offer the people of New Zealand our condolences at what is an incredibly difficult time.

My questions relate to the strategic threat assessment centre and when it will be fully operational. Previous speakers have raised the issue as well. In the event of a no-deal, crash-out scenario, as outlined by Deputy Micheál Martin, there cannot be a hardening of the Border on the island. Will the Taoiseach tell us, very directly, what he will do in the event of a crash to ensure there is no hardening of the Border? What steps will he take to avoid not only the apparatus of a border but also the legal and real hardening of the Border? The paraphernalia is just one aspect of the issue. I have raised this matter with the Taoiseach many times and would appreciate a direct answer. I sincerely do not wish to see a crash, but if there is no deal, there is no backstop, and so there is potential for the hardening of the Border. How will the Taoiseach avoid that? Will he set out the actions he will take?

Acting Chairman (Deputy Eugene Murphy): I thank the Deputy and apologise again.

Deputy Richard Boyd Barrett: The atrocity that took place in New Zealand should absolutely shock us all, but it should also make us consider how such a hate-filled racist and Islamophobic massacre could take place. How did it happen? New Zealand is not the sort of country one would associate with this kind of thing. When I witnessed that horror and just a couple of days before I witnessed the Taoiseach meeting Donald Trump, I thought that whatever debates we may have had about Donald Trump, meeting him, inviting him here and so on, does the Taoiseach not now recognise that the anti-Muslim, nakedly racist rhetoric of Donald Trump directly legitimises, encourages and promotes the sort of horror we saw in New Zealand? He has given licence to the sorts of people who would carry that out. I am making a serious assertion. Considering the horror of what is going on and considering the growth of the far right and racism, I do not believe anybody could honestly draw any other conclusion but that Donald Trump has given licence, as the most powerful leader in the world, to the politics of hate, of the sort of hate that drove that massacre. I ask seriously in that context, if it is not a strategic threat to invite him here.

I was in the mosque in Clonskeagh over the weekend at the multicultural day. I am not exaggerating when I say that the worshippers there were really afraid. They were thinking

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about having to impose security around the mosque, something they never wanted to do before because when Muslim people pray, they pray with their backs to the entrances. They thought they are seriously vulnerable now and it only takes a few maniacs with that hate-filled politics to consider that sort of action. One would never have thought it would happen in New Zealand, but Mr. Trump legitimises that stuff. The sorts of people who share that sick ideology would be encouraged if he comes to this country. I seriously ask the Taoiseach to reconsider his invitation to Donald Trump to come to this country because it will give licence and encouragement to the sort of sick mentality that carried out that massacre in New Zealand.

The Taoiseach: It is my general practice to answer the questions in the sequence in which they are asked. As I do not want to be accused of not answering some important questions, I might slightly divert from that.

Deputy Brendan Howlin: Are they not all important?

The Taoiseach: I have been asked several times by Deputy Micheál Martin and others to disclose what was said by whom at a European Council meeting. I cannot do that. The European Council operates under similar rules to a cabinet.

Deputy Joan Burton: One would be able to read it on Twitter anyway.

The Taoiseach: It is not right nor is it possible for me to come in here and say that Chancellor Merkel said that or President Macron said this. It is not how the European Council works nor is it how it should work. If it has been reported that Chancellor Merkel said, "Get on with it", I can say that is not the case. On a no-deal Brexit, the fact that I neither confirm nor affirm something that somebody is alleged to have said at a European Council meeting does not mean that I did not deny it.

Deputy Micheál Martin: That is what the Taoiseach mentioned on Sunday.

The Taoiseach: I am not at liberty to say who said what at a European Council meeting any more than I am at liberty to say who said what at a Cabinet meeting. For anyone who does follow this session of a chamber, if anybody goes on the radio or television and tries to assert that a non-denial of something that somebody is alleged to have said at a European Council by me is confirmation, it is not. Those meetings are confidential.

I have been asked a few times what would happen in the hypothetical scenario of the United Kingdom crashing out of the European Union without a deal. Of course, I do not know for sure - nobody knows for sure - what would happen in that scenario. It will depend on various factors other than that. However, I can say that we have made no preparations for a hard border between Northern Ireland and Ireland and no preparations for physical infrastructure, checks or customs controls between Northern Ireland and Ireland. Even in the event of no deal, we believe the United Kingdom continues to have obligations under the Good Friday Agreement. We have obligations under the Good Friday Agreement as co-guarantors. We also recognise that the UK will have obligations under WTO rules and we will have obligations to protect our Single Market and our customs union, which obviously creates a problem. It creates a dilemma. Those are the conversations we have to have as to what might be done in different hypothetical scenarios.

Deputy Micheál Martin: However, you have had discussions with the Commission.

The Taoiseach: I have not.

Deputy Micheál Martin: The Government has.

The Taoiseach: I do not think any Minister has, but at official level-----

Deputy Micheál Martin: I did not say Ministers, I mean officials acting on behalf of Government.

Acting Chairman (Deputy Eugene Murphy): Let the Taoiseach-----

The Taoiseach: -----I am sure there have been discussions about what might be done in different hypothetical scenarios.

Deputy Micheál Martin: The Taoiseach said at the Fine Gael Ard-Fheis there was a rough plan already.

Acting Chairman (Deputy Eugene Murphy): The Taoiseach without interruption, please.

The Taoiseach: They are absolutely on that level. I get accused of not answering questions.

Deputy Micheál Martin: I have been trying for three months to get answers.

The Taoiseach: When I refuse to affirm the many conspiracy theories of the Leader of the Opposition, I am accused of not answering any questions.

Deputy Micheál Martin: The Taoiseach, himself, said at the weekend there was a rough plan.

Acting Chairman (Deputy Eugene Murphy): Can we have the Taoiseach without interruption, please?

The Taoiseach: I did not say “rough plan”.

Deputy Micheál Martin: He did say that; I watched the press conference.

The Taoiseach: The Deputy is hearing things and by hearing things it feeds his conspiracy theories. I said there were rough preliminary discussions.

Deputy Micheál Martin: Yes.

The Taoiseach: Discussions are not a plan.

Deputy Micheál Martin: About what?

The Taoiseach: It is a matter of concern to me that the Deputy actually hears things and by hearing things they feed his conspiracy theories.

Deputy Micheál Martin: What were the preliminary discussions about?

Acting Chairman (Deputy Eugene Murphy): The Taoiseach to answer the questions, please.

The Taoiseach: Going on to-----

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Deputy Micheál Martin: The Taoiseach owes it to the Dáil to be upfront, give straight answers and not dodge.

Acting Chairman (Deputy Eugene Murphy): The Taoiseach without interruption, please.

The Taoiseach: I was asked about a consular case, the case being that of Lisa Marie Smith. That has not been discussed at a Cabinet sub-committee, but it was discussed at Cabinet today and previously. I am conscious that while nobody can condone the choices she has made and the actions she took in aligning herself with ISIS, a terrorist regime that is hell-bent on the destruction of the West and Christendom, she has a two year old child who is an Irish citizen. That child is an innocent child. As is the case with all Irish citizens they will be permitted to re-enter the State should they try to do so. Of course, a security assessment will need to be carried out to ensure that Lisa Marie Smith is not a threat to any of us. We are working out how that best can be done to ensure she does not become a threat to life and limb here in Ireland. That does not apply, obviously, to a two year old child.

I heard some suggestions that the Government jet might be used. That is absolutely without foundation. First, we do not use the Government jet to repatriate citizens. Second, it does not fly as far as Syria or even as far as Turkey. I do not know where that comes from, but it is absolutely not the case.

I am aware of reports that she is in an annex to the Al Hol camp in the area of northern Syria controlled by Kurdish forces. Another televised interview with the person in question was broadcast over the weekend. Efforts are continuing to verify the details and make direct contact with her. Consular assistance is provided to all Irish citizens abroad when requested, but our capacity to do so in an active war zone is limited.

Nonetheless I am aware of the vulnerability of the two year old child in these circumstances. The safety and welfare of Irish citizens is a priority for the consular service and the Government. This applies to the case in question where two Irish citizens are in high-risk locations and wish to leave. Officials from across Departments and Government services have been meeting this weekend to identify options to provide consular assistance to children such as these in Syria. We will step up these efforts and work with international partners, including international organisations, to ensure that decent humanitarian treatment is afforded. We will do what can and should be done to assist Irish citizens in distress or danger overseas, including by helping them return home.

I was asked about the Garda and its engagement with the Muslim community. I cannot speak for the Garda, but I know from my visits to the mosque and conversations with gardaí that Garda liaison officers are appointed to the Muslim community. They do very effective work, or at least that is the impression I have.

Deputy Burton asked about the national security advisory centre. That will form part of my Department but it will not be on-site as we do not have any room. We are looking for off-site accommodation for it. The reason it will form part of my Department follows on from the O'Toole commission, but more relevant than that it is co-ordinating three other Departments - Defence Forces intelligence, Garda intelligence and the National Cyber Security Centre, which falls under the Department of Communications, Climate Action and Environment. As it is co-ordinating the work of three bodies under three other Departments, it made sense to have it in the Department of the Taoiseach, rather than in one of those three Departments for obvious

reasons.

Obviously, the Government acknowledges that Defence Forces pay is a major issue. While we have been very successful at recruiting people to the Defence Forces, with record recruitment levels in recent times, there is a very high turnover. The Defence Forces turnover rate is about 8%. In the past it would have been more like 5% or 6% leaving every year, which would be closer to what one would expect than would be 8%. As to what is being done about it, instead of having bursts of recruitment, there will be year-around recruitment. For the first time, people can now re-enter the Defence Forces. In the past if they left they could not come back. Many want to come back and they will now be able to re-enter.

Pay restoration is very much under way under the agreements we have with the trade unions. The Public Service Pay Commission is doing a discrete piece of work on allowances that could be increased or restored if it recommends that this should be done and that it would be successful. Also, I have asked the Chief of Staff to examine the issue of housing. In the past, subsidised housing was provided on barracks and bases for members of the Defence Forces. Often when they were saving up for a deposit they would avail of that. I want them to consider that and see if we can do something similar on some of the bases where there is land in terms of providing low-cost subsidised housing for members of our Defence Forces, thus allowing them to save some money and build up a deposit.

Deputy Richard Boyd Barrett: What about my question about Trump? The Taoiseach does not want to answer that question.

Leo Varadkar: No.

Deputy Richard Boyd Barrett: The Taoiseach will not answer that question.

Leo Varadkar: My answer to the Deputy's question is: no, I do not agree.

Acting Chairman (Deputy Eugene Murphy): I thank the Taoiseach, Members and staff for their assistance and co-operation.

Ceisteanna ar Sonraíodh Uain Dóibh - Priority Questions

Acting Chairman (Deputy Eugene Murphy): I remind Members they have 30 seconds to introduce a question to which the Minister has two minutes to reply, the Member has one minute to ask a supplementary question to which the Minister has a minute to reply, and the Member has a minute to ask a final a supplementary question to which the Minister has a minute to reply. As we do not have much difficulty with agriculture, I ask the Minister and Members to stick to their time slots.

Brexit Preparations

54. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the contingencies being operationalised and supports that will be in place to safeguard farmers, fishermen and the agrifood sector here for all scenarios, including a no-deal hard Brexit, by the 29 March 2019 deadline; and if he will make a statement on the matter. [14214/19]

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Deputy Charlie McConalogue: This question requests the Minister to give details of all the contingencies being operationalised and the supports that will be in place to safeguard Irish farmers, fishermen and the agrifood sector for all scenarios, including a no-deal hard Brexit by the 12 April deadline. As we know, the deadline has been extended from 29 March to 12 April on the basis that the withdrawal agreement is passed in the House of Commons, which looks increasingly unlikely. To date, we have not seen any detail from the Minister regarding what contingencies or supports will be in place for the agrifood and the marine sector. I hope that at long last, he will be in a position today to bring some clarity to his preparation in this regard and to the specific contingency plans that he has in place.

Minister for Agriculture, Food and the Marine (Deputy Michael Creed): While ratification of the withdrawal agreement is still the Government's primary focus, and preparations are continuing for all scenarios, greater priority has of course been given recently to preparations for a no-deal Brexit.

My Department, as part of a whole-of-Government approach, has been very active in this regard. Regarding preparedness for import controls, we have been working with other Departments and agencies to have the necessary import control arrangements in place at our ports and airports in order to allow the Department to fulfil its legal obligations as efficiently as possible, while also ensuring the minimum possible disruption to trading arrangements.

The Department has also sharpened its Brexit communications strategy in order to keep stakeholders informed and to encourage them to take the necessary steps to allow their trading arrangements with the United Kingdom to continue. This is happening through increased engagement with stakeholders, an enhanced Brexit page on the Department's website, the circulation of focused trader notices, the establishment of a dedicated Brexit call centre and central email address, and the increased use of social media.

In order to help mitigate the impacts on the sector, I have introduced a number of budgetary measures over the past three years aimed at helping farmers and fishermen, at improving competitiveness, and at supporting market and product diversification. This included a €78 million package in budget 2019. This provided an additional €43 million given directly to farmers, including €23 million in additional funding for the areas of natural constraints, ANC, scheme and €20 million for the beef environmental efficiency pilot, which complements the €300 million beef data and genomics scheme.

More recently - including on the margins of last week's Agriculture and Fisheries Council in Brussels - I have held bilateral discussions with Commissioner Hogan on the impact of Brexit and the need for comprehensive supports to be deployed, in particular to mitigate the impact on the beef sector. The common organisation of the markets, CMO, regulation, which was put in place under the Irish Presidency of the European Union in 2013, provides a comprehensive toolbox for dealing with market disruption. This includes intervention, aids to private storage and exceptional measures. The Commissioner has reiterated the European Union's readiness to respond and support Ireland, and we will remain in contact on these issues as the situation evolves.

Additional information not given on the floor of the House

I also recently met fisheries Commissioner, Karmenu Vella, to discuss and share concerns about the potential serious impacts for Irish fishing fleets if they are excluded from UK waters

in a no-deal Brexit situation. Commissioner Vella has already indicated that member states can have additional flexibility in the use of existing European Maritime and Fisheries Fund-funded programmes to support fishermen in the event of a hard Brexit. He has also indicated that the EU has the necessary legal framework to manage reciprocal arrangements after Brexit should the UK provide access to its waters to the end of 2019.

Deputy Charlie McConalogue: I thank the Minister for his response. While he may tell us he is increasingly engaging with stakeholders, unfortunately, he is not able to enlighten us any further on the specific contingencies or supports that will be in place in the event of a hard Brexit. For him to try to tell us that the beef scheme or the ANC scheme is somehow related to his Brexit response is a bit rich. Since October 2017 when budget 2018 was announced and published, he has been telling us consistently that the Brexit loan scheme he announced in that budget would be a key part of his response and preparation for a hard Brexit. Yet today, only a few weeks from 12 April and only three days from the original exit date, where is that loan scheme? It has not been delivered by him despite the fact that it was his response and first defence with respect to how he was going to do the devil and all to prepare for Brexit. Likewise, last August, we heard him indicate he was going to hire 300 sanitary and phytosanitary, SPS, officers but in September he revised that down to 114. How many of those are available today? The Minister cannot tell us because they are not there. Again, we are totally unprepared.

The Minister is aware of the massive pressure the beef sector in particular is under. The British Government has outlined its proposed tariffs. It is long past time that the specific supports that will be available from the Irish Government and the European Commission were made clear to the agrifood sector and to farmers in particular. The Minister needs to front up and provide clarity on that now.

Deputy Michael Creed: On the loan scheme to which the Deputy alludes, we have already had two successful forays in this area. We had the €150 million working capital scheme and the €300 million loan scheme. The next one, the details of which will be announced and available shortly, is for those who are contemplating capital investment. I take the observation the Deputy made that it is long awaited but he will appreciate, in the context of the uncertainty surrounding Brexit, that the reality is that many businesses, agribusinesses included, have pressed a pause button until they see the certainty. The focus of the Government's endeavour has been on trying to provide certainty in an area where we do not control the levers in terms of what the UK decisions will be. Our preference is that it would ratify a withdrawal agreement. I do not accept the Deputy's rationale that it looks more unlikely. In fact, more recent developments might suggest that the withdrawal agreement might be moving back centre stage again in the context of deliberations in the UK Parliament but I am very satisfied that we are ready. The responses will be a collaborative endeavour between the Commission and the Government. The Deputy heard the Commissioner respond. We have discussed in detail what may be necessary but we will need to see what the practical fallout is.

Deputy Charlie McConalogue: I am glad to hear that the Minister is satisfied because I do not believe any others are, or certainly the agrifood sector is not. I am pointing out to the Minister nothing more than his own commentary since October 2017 on the loan scheme. He was the man selling it as a key panacea and measure by the Government to prepare for a hard Brexit. They were his own words. It was the first point he would make. Regardless of the issue or concern we would raise with him, his response was to the effect, "Don't worry guys. I have this loan scheme coming". It is a bit rich, with the possibility of a hard Brexit only a couple of weeks away, that the scheme still has not arrived and that the Minister has not delivered on it.

Unfortunately, that is symptomatic of the other preparations we have not seen from him.

When responding the Minister might update us on the 300 SPS veterinary officers he was to hire. Again, as recently as last September, he was telling us they would be in place in the event of a hard Brexit. I am aware he downgraded that figure to 116. How many of those are in place? That was another key measure he said would be in place.

The unfortunate reality is that the Government is not prepared for a hard Brexit. It has hoped for the best rather than prepared for the worst. Can the Minister clarify now the status of those veterinary officers? In particular, we need absolute clarity in regard to the support packages that will be available to the agrifood sector in the event of a hard Brexit because it is already impacting on confidence and prices.

Deputy Michael Creed: I assure the Deputy that, if the UK becomes a third country, the infrastructure that is required to keep trade moving at places like Rosslare, Dublin Port or Dublin Airport, and all of the necessary backup staff and front-line staff that will be necessary for that, will be in place to meet that contingency should it arise.

Deputy Charlie McConalogue: How many has the Department hired?

Deputy Michael Creed: I will get the Deputy the exact figures but they are along the lines he has quoted in terms of the 120 between Rosslare and Dublin Port and the necessary backup staff, supervisory staff and veterinary expertise that would be necessary. I am satisfied we have that.

What we have been trying to do since 23 June is build resilience within the sector, inside and outside the farm gate, and I think we have succeeded in doing that. However, I would preface those comments by saying it is not possible in regard to Brexit preparedness to mitigate all of the downsides. I have always said there is no upside to Brexit. It is a damage limitation exercise in terms of our market exposure to the UK, of trying to work with State agencies to look at new market opportunities for business and of building resilience inside the farm gate in regard to areas of natural constraint, ANC, payments and a whole host of other initiatives. Brexit is a bad news story. It is about damage limitation in terms of what we have been able to do for the sector.

Brexit Issues

55. **Deputy Martin Kenny** asked the Minister for Agriculture, Food and the Marine the results of negotiations with the European Commission regarding the threat by Britain to apply full WTO tariffs to agrifood products from Ireland in the event of a no-deal Brexit; and if he will make a statement on the matter. [13995/19]

Deputy Martin Kenny: I ask the Minister to outline the results of negotiations with the European Commission regarding the threat by Britain to apply full WTO tariffs to agrifood products from Ireland in the event of a no-deal Brexit; and if he will make a statement on the matter. I particularly want to focus on the tariff issue because it will have the biggest impact on the whole agrifood sector, in particular the beef sector, given we export over 50% of the beef produced in Ireland to Britain. At the moment, we are looking at a tariff of between 75 cent and €1.60 per kilo, which is very serious.

Deputy Michael Creed: I point out first that the tariff proposals announced by the British Government, somewhat regrettably, very late in the day, relate to a no-deal scenario, which is by no means certain at this stage. We have been aware from the outset that a tariff regime will significantly impact on the competitiveness of the Irish agriculture sector. Any tariff regime is unambiguously very serious for Irish agrifood exports to the UK and most particularly for the beef sector, which would be worst affected. That is why we have worked so hard to secure the withdrawal agreement that would enable both sides to negotiate a future relationship agreement with the aim of avoiding tariffs and quotas.

The UK proposals are complex and the Government is continuing to analyse the detail, as well as assess the potentially serious and negative impact for industry. However, it should be stressed that no option would be as good as what is available on the table in the withdrawal agreement. The Government has been engaging very closely with the European Commission regarding the potential impact of a disorderly Brexit and the need for the Commission to be ready to deploy a range of measures to help mitigate the potential impacts on farmers and processors. The Common Market Organisation regulation, which was put in place under the Irish Presidency of the EU in 2013, provides a comprehensive toolbox for dealing with market disruption. This includes measures such as intervention, aids to private storage and exceptional measures.

At recent bilateral meetings that I have held with Commissioner Hogan, he has confirmed the EU's readiness to respond and to support Ireland. This process of engagement is continuing and the Government will not be found wanting when it comes to supporting the Irish agrifood sector.

Deputy Martin Kenny: The core issue is that mentioned by the Minister, that of exceptional measures. Everyone is aware of intervention and the various other market disruption measures that can be taken at any time when we have disruption somewhere in the market. Brexit is unique and is something we have not encountered at any time in the history of the EU. The exceptional measures are what we need to get to. How can Irish farmers be sure of what will happen in the next six or eight months, or in two years, even if there is not a crash-out and there is a deal? All we are talking about is an insurance policy until a proper arrangement is put in place but we do not know what that proper arrangement is going to be. If the past is a reflection of the future, it looks like it will be a very poor arrangement because the ability of the British Government to date to negotiate something which is serious and worthwhile, and which will bring a dividend for everyone, has been very poor.

Deputy Michael Creed: As the Deputy rightly said, what we want to get to is a situation where, preferably through a withdrawal agreement and a transition arrangement, we negotiate a comprehensive free trade agreement. However, it is also the case that even if the UK crashes out by a more circuitous route, we will end up back in a situation where we sit down and negotiate. The Government's position has always been that it is preferable to do that sooner rather than later and to approve the withdrawal agreement.

On the tariff regime that was published, we had estimated that if the UK applied the full WTO tariff to the Irish agrifood offering to the UK, it would have cost in the region of €1.7 billion on our exports of €4.5 billion in 2018. The UK has not done that. Instead, it has taken a rather *à la carte* approach to tariffs. Obviously, what we would have calculated on a full WTO tariff of around €700 million on the beef side is somewhat less in the context of what it has proposed, but nonetheless damaging. For example, on sheepmeat, it has taken a position to apply

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the full tariff because it has a significant market in France and it is trying to protect its home market, given it is losing that French market. It has been designed to suit the UK's purpose. Our response will be tailored and, obviously, the beef sector, because it would take the biggest hit, although not as bad as it could have been if the UK had applied full WTO tariffs, would have to be assessed as to what the price impact is for producers who are finishing cattle, and how we would direct responses to those farmers.

Deputy Martin Kenny: We are all aware of the huge amounts of Irish beef that cross the channel to Britain. I have been speaking to people in the industry, in particular those working in the processing factories, so I know the same processors that own factories here own factories in the UK. Is there a situation where, rather than bringing meat across, they will bring the cattle across and do the processing over there? Many of the workers they have employed are transient because it is not like the past. When I was growing up, many people worked in meat factories and went around wearing white aprons, but none of them work in meat factories anymore. There are very few Irish people working in them and most of the people working in the meat factories are Brazilians or from other countries because it is a low wage sector. The danger is the processors could move everything, lock, stock and barrel, across the water and bring the cattle across to avoid these tariffs. That would be very detrimental for a whole sector of our meat industry and for the spin-off it has in the economies where factories exist. We need to arrive at a situation where we can get certainty, not just for the farmer but also for the people involved in the industry, to make sure we do not see the detrimental effects of these tariffs on the entire industry.

Deputy Michael Creed: Our objective is to make sure we protect the beef industry because it is a very significant engine in the rural economy. It is interesting to note that there is a lower tariff schedule for live exports. Of course, we do not want the impact on the beef producers but neither do we want it on the broader economy which supports them, given 16,000 people are working in the meat processing sector generally. We are aware of all of the possible consequences. The exceptional aid was deployed previously under the Common Market Organisation regulation when the Russian market was closed and there was a particular impact on the Baltic states. I think the UK departure is much more significant for the EU market generally. However, the principle of exceptional aid was deployed then and the Commissioner has said the Commission stands ready in the context of exceptional aid, apart altogether from things like aids to private storage and intervention, which are the stock response for normal - if I might use the term - market disturbances. These will also be necessary but exceptional aid is where the game is at in the context of a hard Brexit in particular.

Live Exports

56. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Food and the Marine the status of discussions he has had with the French authorities to expand the lairage capacity at Cherbourg Port in order to increase live export of calves. [14215/19]

Deputy Charlie McConalogue: What is the status of discussions the Minister has had with the French authorities to expand the lairage capacity at Cherbourg Port in order to increase capacity for the live export of calves? As he will know, the live export of calves, particularly bulk dairy calves, is essential in terms of ensuring we can address the oversupply issues we have seen in the last year undermining the beef price in our domestic market. Given the lack of

action from the Minister, as I see it, I am interested to hear an update.

Deputy Michael Creed: Live exports are a critical part of Ireland's livestock industry. They play a significant role in stimulating price competition and providing an alternative market outlet for farmers. The Department facilitates this trade, recognising its critical importance to the agrifood sector, while also ensuring that live animal exports meet the highest welfare standards. In 2018, live exports of cattle increased by over 30% to 246,000 compared to 2017. This growth trend has continued into 2019, with live exports totalling 58,000 up to early March, which is a 35% increase on the same period in 2018. However, I am cognisant of the challenges within the live export trade, particularly the issue of capacity in lairages in France.

My officials are in ongoing communication with Irish exporters with regard to the need for co-operative management among themselves to ensure that the lairage capacity at Cherbourg is optimised. The development of additional lairage capacity is a commercial issue. The live export sector may wish to consider developing an additional lairage in Cherbourg or engaging with the owners of existing facilities to explore the potential for additional capacity. Notwithstanding this, there has been significant engagement with the French authorities regarding this matter. In September 2018, officials from my Department visited Cherbourg to discuss the capacity issue with the French authorities and local lairage operators. Last month, Bord Bia met local lairage operators, while departmental officials held a meeting with the IFA and French embassy representatives. I also raised the issue last month with the French Minister of Europe and Foreign Affairs, Jean-Yves Le Drian and last week I discussed the matter further with my French agriculture counterpart, Didier Guillaume, at the EU Agriculture and Fisheries Council meeting in Brussels. I should make it clear that the facilitation of the French ministry relates to the approval of private sector developments. Following this engagement, I am happy to report that in recent weeks the French authorities have approved an increase of the holding capacity of the Qualivia lairage in Cherbourg. This will provide additional daily capacity for 400 animals. Based on current ferry sailing schedules, this provides increased capacity of some 1,200 animals per week. The Deputy can rest assured that I will continue to advocate on behalf of our exporters with regard to this issue.

Deputy Charlie McConalogue: The Minister said that I can rest assured that he will continue to prioritise this issue but I am not assured by his performance to date. I am not assured that he even fully understands or comprehends the importance of this issue or his role in ensuring that the live export trade is maximised. The Minister knows that the Irish beef sector is under massive pressure in terms of prices and the losses that farmers are taking. The only good market in recent months has been the demand in Spain and Holland for dairy bull calves, which have been plentiful in recent years as a result of the milk quota having been abolished. The Minister should have been working with the sector to ensure there were no blockages in terms of lairage capacity at Cherbourg that would limit the amount of animals that could be exported from the country. Instead, he washed his hands of any role in this. At the same time, he is trying to take credit for a belated and small increase in capacity. The Minister has been asleep on the job in terms of his responsibility here and farmers' incomes will take a hit as a result of the live export market not being utilised to the greatest extent possible.

What effort is the Minister making now to ensure that capacity can be further increased in order to maximise the market, albeit that the peak has unfortunately passed for this year?

Deputy Michael Creed: The Deputy conveniently ignores the facts and relies on emotion but the figures speak for themselves. Year on year, up until the end of February, exports are

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up by 35%. We exported 160,000 calves last year and a total of 245,000 cattle, which was an increase of 30% on the figures from the previous year. Indeed, the 2017 figures saw an increase of 30% on the 2016 figures. The commitment of the Government and Members on this side of the House to live exports is on the record in that context. What I will not do, however - and I hope the Deputy will not condone it either - is facilitate live exports through the breaching of regulations. The surest way to bring the industry to a shuddering halt is by ignoring the regulations. I ask Deputy McConalogue to confirm that it is also his position that there must be no breach of the regulations because this industry is too important to Ireland.

I engaged directly with live exporters last July. I pointed out that there was an increased volume of calves coming down the line and that the Department would reduce the levy substantially, to the tune of 160,000 calves, resulting in a saving to the industry of €750,000. I asked them to engage with the lairage providers in France and told them to organise themselves so that they could share the facilities and sweat them to the maximum extent possible. It is regrettable that the sector did very little, if anything, to co-ordinate the use of lairage facilities in France. The Department offered to organise and help the exporters come together in a collective way to arrange that.

Deputy Charlie McConalogue: The Minister is seeking refuge by trying to spread the blame. He has argued that the export sector has not done as much as it could but he is ignoring his own responsibility here. Standards have to be met and regulations have to be kept but we must ensure that there is sufficient capacity to maximise the export market. The Minister has taken no action to do so. Bord Bia collects a levy on every calf that is exported. Last year, €300,000 was collected by Bord Bia for this purpose. The Minister said that departmental officials were in Cherbourg in September 2018 and Bord Bia was there more recently. Unfortunately, the Minister was working on the premise that there would be additional ferry capacity over the last few months, which has proven to be wrong. He did not take the action required to ensure that the capacity was in place in Cherbourg to maximise exports. The calves that did not leave the country in the last few weeks as a result of the Minister's inaction will be in the system here and will be oversupplying our market in 18 months. However, it is not too late for him to step up to the mark. The Minister must admit that he has a key responsibility here and stop washing his hands of the problem while farmers lose out on income.

Deputy Michael Creed: Again, rather than dealing with the facts of the situation, the Deputy has failed to clarify his own position on compliance with the regulations. I will not permit a situation to develop whereby this trade is facilitated in a way that is in breach of-----

Deputy Charlie McConalogue: I said that the regulations had to be met-----

Deputy Michael Creed: I did not interrupt the Deputy-----

Deputy Charlie McConalogue: -----and the Minister must take on the role of ensuring that there is sufficient capacity-----

Deputy Michael Creed: It is not the role of the Department to provide private lairage facilities in another country.

(Interruptions).

Deputy Andrew Doyle: The departmental levy is gone as an incentive-----

Acting Chairman (Deputy Eugene Murphy): Please allow the Minister, without interruption.

Deputy Andrew Doyle: Does Deputy McConalogue want to subsidise the exporters?

Acting Chairman (Deputy Eugene Murphy): Please let the Minister answer the question.

Deputy Andrew Doyle: They did not take up the offer of a boat out of Cork.

Deputy John Brassil: What about Bord Bia's role here?

Deputy Michael Creed: We told the industry clearly that we would not levy the charge that we had been levying, provided the exporters themselves organised additional capacity. We met them well in advance of this spring's calving season. Notwithstanding that, the facts show that the numbers are increasing significantly. I would like to see the industry organised sufficiently and co-operating together to increase the calf export potential but that has not happened. It is not the function of the Department of Agriculture, Food and the Marine to spend Irish taxpayers' money providing lairage facilities in a third country. We do not provide lairage facilities in Ireland, not to mind providing them for private business in France.

Live Exports

57. **Deputy Danny Healy-Rae** asked the Minister for Agriculture, Food and the Marine the additional markets being sourced for live exports of cattle and provision of extra lairage for the export of dairy bred calves at Cherbourg, in view of Brexit; and if he will make a statement on the matter. [14205/19]

Deputy Danny Healy-Rae: Farmers are at a low ebb. They feel beaten and let down. All over the country, they are on their knees and are at the point of giving up. More live cattle exports are needed, as well as more markets for processed beef. As Deputy McConalogue has said, extra lairage is required in Cherbourg for dairy-bred calves. I do not care whether it is the Minister or Bord Bia that provides the facilities but we owe it to the farmers of Ireland to provide additional lairage in order to take calves out of the system.

Deputy Michael Creed: Live exports are a critical part of Ireland's livestock industry. They play a significant role in stimulating price competition and providing an alternative market outlet for farmers. The Department facilitates this trade, recognising its critical importance to the agrifood sector, while also ensuring that live animal exports meet the highest welfare standards. In 2018 live exports of cattle increased by more than 30% to 246,000 compared to 2017. This growth trend has continued into 2019, with live exports totalling 58,000 up to early March, which is an increase of 35% on the same period in 2018. My Department continues to prioritise efforts to gain access to new third country markets and deepen existing markets, particularly in the context of Brexit. I visited Turkey earlier this month to meet my Turkish counterpart, Dr. Bekir Pakdemirli, Minister for Agriculture and Forestry, when we discussed existing and future opportunities for technical co-operation, trade in agrifood products and live exports. I stressed the importance of the Turkish market for Irish livestock and the desire to re-establish trade as soon as possible. Dr. Pakdemirli indicated his intention to consider the reopening of the market in the second half of 2019. It was also agreed that officials from both countries would continue to explore opportunities for future co-operation and a visit by a Turkish technical

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team, including officials from the Ministry of Agriculture and the ESK - the Turkish meat and milk board - is planned for this summer.

Next week I will be meeting the Kazakh ambassador to discuss new health certification for trade of live animals to Kazakhstan. My Department is also engaging closely with officials to reach agreement on three proposed health and breeding certificates for the export of fattening, slaughter and breeding cattle to Egypt. Last November my Department reached agreement with Libya on a new veterinary health certificate for the export of breeding cattle and an amended veterinary certificate for the export of fattening and slaughter cattle. This increases the opportunity for exporters to export a wider range of cattle. A consignment of bulls destined for Libya set sail yesterday.

I have also extended an invitation to my Algerian counterpart to visit Ireland in 2019. This follows earlier contact with Algeria to try to reach agreement on revised and separate slaughter, fattening and breeding certificates.

Additional information not given on the floor of the House

With regard to lairage capacity at Cherbourg, my officials are in ongoing communication with Irish exporters on the need for co-operative management between each other to ensure lairage capacity at the port is optimised. The development of additional lairage capacity is a commercial issue. The live export sector may wish to consider developing additional lairage in Cherbourg or engaging with owners of existing facilities there to explore the potential to provide additional capacity.

Notwithstanding this, there has been significant engagement with the French authorities on this matter. In September 2018 officials from my Department visited Cherbourg to discuss the capacity issue with the French authorities and local lairage operators. Last month Bord Bia met local lairage operators, while departmental officials held a meeting with the IFA and French embassy representatives.

I also raised the issue last month with the French Minister for Europe and Foreign Affairs, Jean-Yves Le Drian, while last week I discussed the matter with my French counterpart, Didier Guillaume, at the EU Agriculture and Fisheries Council meeting in Brussels. I should make it clear that the facilitation of the French ministry relates to the approval of private sector developments.

Following this engagement, I am happy to report that in recent weeks the French authorities have approved an increase in the holding capacity of the Qualivia lairage in Cherbourg. It will provide additional daily capacity for 400 animals. Based on current ferry sailing schedules, it will provide increased capacity for some 1,200 animals per week.

The Deputy can rest assured that I will continue to advocate on behalf of exporters on this issue.

Deputy Danny Healy-Rae: I thank the Minister for the efforts he is making. I am glad that the mart in Castleisland now has a job to export 1,500 bulls to Turkey. However, more live exports and more permits are needed for small beef processors to allow them to sell beef to China and other countries. It is amazing that five licences have been granted to the major meat processing companies, while 11 other permit applications are waiting to be processed to allow smaller beef processors to sell beef to China, but they are being held up by the Depart-

ment. Will the Minister explain why? The factories dropped their price again yesterday by five cent per kilo. We need competition in the market, as well as more live cattle exports and more competition in the beef processing industry. Why have the 11 applications from small beef processors been held up?

Deputy Michael Creed: I advise the Deputy that they have not been held up by the Department of Agriculture, Food and the Marine. The approval of permits for the export of beef to China is a matter for the Chinese authorities. We prosecute all applications on their behalf with the Chinese authorities. I will visit China again later this year as part of a trade delegation when I hope to progress these matters. I will also seek to do so in the interim. The Chinese market is significant. For dairy and pork products, China is our second biggest market after the United Kingdom. The same could possibly happen for beef. We attach a lot of significance to securing the maximum facilitation of trade, but with that trade comes terms and conditions. In many respects, we are takers. For example, if China determines that it will not take cattle under 30 months and that it does not want cattle that have spent the last period of their lives - 70 days - on one holding, or if international customers determine that they do not want cattle that have been subject to more than four movements, these are all conditions with which we, as an exporter, will have to comply. Obviously, we try to make progress to secure the maximum facilitation of trade and the least number of restrictions and the least amount of red tape, but competent authorities, the markets and retail partners determine the specifications.

Deputy Danny Healy-Rae: Why are cattle in the United Kingdom, including the North of Ireland, making €200 per head more than cattle in the South? There is uproar about the grading machines used in the factories. The sergeant for weights and measures is responsible for measures at petrol pumps and in public houses. Does the Department have any role to play in the calibration of grading machines used in the factories? They should be sealed and calibrated by departmental officials. Is this happening? Is the Department playing any role in ensuring the farmer receives a fair price for what he or she is selling to the factory? It seems to farmers that they are not being treated fairly by the factories and that the Department is not playing the role it should be playing in ensuring grading machines and the grid system for pricing are operated fairly to ensure the farmer will be paid properly for his or her produce.

Deputy Michael Creed: The Deputy has asked a number of questions. The issue of the price differential between here and the United Kingdom is often raised, but it must be borne in mind that Ireland has to export 90% of what it produces, be it to the UK market or anywhere else; there is, therefore, a cost element. There is also the fact that the UK consumer receives preference in the case of Red Tractor assured beef, rather than produce from other countries. Ireland enjoys preferential status in the UK market, but its beef is not valued as highly in the context of the British consumer's preference for Red Tractor assured beef. When I meet representatives of the meat industry, I repeatedly make the point to them that there would be no meat companies or meat industry without the beef farmers and that the industry must be conscious that this fact underpins the business.

I put it to Deputy Danny Healy-Rae that the position of sergeant for weights and measures is a thing of the past. They are now functions of the National Standards Authority of Ireland, NSAI. My Department has a function in the calibration of grading machines. The payment arising from the grid system stems from a contractual arrangement entered into between the farm organisations and the processors, depending on where one's cattle lands on the grid which is complex. There are 225 disparate categorisations. The payment that follows, depending on into which slots the cattle fall, is an issue between the farm organisations and the processors as

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negotiated; it is not something for which the Department has responsibility. As the competent authority, we have a function in monitoring the use of grading machines and carry out more on-site inspections than we are obliged to do by regulation.

Waste Management

58. **Deputy Eamon Ryan** asked the Minister for Agriculture, Food and the Marine the assessment planned for the potential scale of anaerobic digestion as a new economic opportunity for farmers and a way of dealing with waste products; and if he will make a statement on the matter. [14233/19]

Deputy Eamon Ryan: The development of anaerobic digestion will have a role in the new energy future and in the future of farming by way of providing income. We must, however, ensure it will be sustainable in every way and environmentally sustainable more than anything else. I am keen to hear from the Minister on the assessment he has made of the quantity of and the environmental side effects of the development of anaerobic digestion in order that we will not lead farmers up a cul-de-sac from which they must subsequently be withdrawn.

Deputy Michael Creed: My Department recognises the potential environmental and economic benefits of using anaerobic digestion, including climate mitigation, water quality and air quality, as well as supporting diversification of income for farmers. Research suggests the biogas produced from anaerobic digestion could potentially play a significant role in the heat and transport sectors, in particular.

The anaerobic digestion industry in Ireland is at an early stage of development compared to the more established industry in many European countries. Potential for the growth of the anaerobic digestion sector in Ireland is strong, but it should be seen as a long-term development. The main support for the development of anaerobic digestion will be through the pending support scheme for renewable heat operated by the Sustainable Energy Authority of Ireland. The scheme will provide ongoing operational support for anaerobic digestion biogas boilers or biogas high efficiency combined heat and power heating systems.

My Department supports research, development and demonstration in this area. As recently as October 2018, two projects were approved for funding from the European Innovation Partnerships Initiative under the rural development programme. The Biorefinery Glas small-scale, farmer-led green biorefineries and the Irish BioEnergy Association's small biogas demonstration programme have each been awarded funding of over €900,000. In addition, my Department has a key regulatory role to play when using animal by-products as feedstock for anaerobic digestion. We encourage the use and recovery of these by-products in a safe and protected manner and look forward to the growth of the sector and the opportunities it can provide for rural Ireland to meet renewable energy and carbon and emissions targets. There are 12 anaerobic digesters producing biogas in operation nationally that are approved by and operating under licence from my Department. The capital costs of such anaerobic digestion systems are quite significant and challenges remain in the sustainable supply of various feedstocks for anaerobic digestion. My Department continues to work closely with the Department of Communications, Climate Action and Environment, the lead Department in this area, to ensure the supply of domestic fuels available in the forest and agriculture sectors will be mobilised to support green energy generation from a range of bioenergy technologies, including anaerobic digestion.

Deputy Eamon Ryan: It is the last clause the Minister read where the challenge is in terms of feedstock. As well as looking at successes in other countries, there are areas at which to look which raise real concerns. North of the Border, in Northern Ireland, there has been a massive expansion in anaerobic digestion, which seems to serve certain self-interested industrial farming production methods with knock-on environmental consequences which are very serious. Research reports which I have seen show real concern about the availability of feedstock which would not if we, for example, used grass, kick into our ability to feed our national herd. We have had fodder crises in the last two years. There are potentially major knock-on consequences in the release of ammonia and the nature of the farming system one gets with this system. I come back to my key question; what assessment has the Department done of the environmental challenge of developing anaerobic digestion without developing a massive and polluting industrial farming system to go with it?

Deputy Michael Creed: The issue is under active consideration in my Department and that of my colleague, the Minister for Communications, Climate Action and Environment, Deputy Bruton, in the context of the overall Government plan on climate change proposals. From our point of view, the concern is the very significant capital investment. In fact, I was looking at some data and note it can cost anything from €191,000 for a 4 kW anaerobic digestion, AD, plant to almost €4.5 million for a 500 kW plant. That is just the capital investment required and does not take into account issues around the supply of feedstock to sustain that and the renewable energy feed-in tariff scheme, REFIT, tariff that might be necessary. Supporting capital infrastructure, ongoing supports that might be necessary through a REFIT tariff, the availability on a sustainable basis of feedstock, either animal by-products or in other forms and how that might impact on the availability of feedstock for the national herd are all part of the complex matrix of issues that need to be deliberated. It is not possible at this stage to draw definitive conclusions other than to say that it is capital intensive and will have a significant ongoing cost. Whether it will be supported by the State or better use can be made of those funds in other areas of the climate change agenda is a matter on which the jury is currently out.

Deputy Eamon Ryan: One of the recommendations from our climate report, which we have already agreed, is a national land-use plan to provide a strategy for how we use our land. Within that and by the end of the year or as soon as possible as part of our national energy and climate action plan, we should have an answer to the question of what the optimum level of anaerobic digestion is. That should be driven by environmental considerations first. While capital and other considerations are equally issues, they are not the key issue. We must ensure that if we are Origin Green in name, we are Origin Green in reality. We must not make the mistake that was made in Northern Ireland whereby certain types of production are increased massively, which may be harmful in other ways, just to get an anaerobic digestion grant out or to get capital projects over the line. We should run it from an environmental assessment first and that will need to be done by the end of the year in order to answer the question of what the optimum level should be to fit in with an Irish family farming system.

Deputy Michael Creed: Any money the State spends on any initiative in the climate change area will be to deliver on the climate agenda and to achieve value for money. To put it another way, could the money available be spent on some other initiative in climate to deliver a greater dividend for us? That is the framework within which we are looking at it. We are considering capital costs, running costs, the availability of feedstock and what it delivers to reduce our carbon footprint. They are all in the mix. I await with interest the climate change report and I appreciate that a great deal of work has gone into it from all parties and colleagues. It will

obviously form a very important part of the consideration. In particular, the Deputy referred to the possibility of a land-use policy in that context. I am less in favour of prescription and more in favour of encouragement. We have seen what is happening in Leitrim in the context of a land-use policy at the moment. People there are saying they do not want any more trees. A land-use policy might mean in some quarters telling people that they must engage in a specified activity on a specified soil type and on a different activity on a different soil type. I am not in favour of that. It is not fair to ask any particular community, as I have said several times, that on a particular land type, they must take all the trees while others get on with a different type of activity. It is not fair.

Ceisteanna Eile - Other Questions

Food Exports to Iran

59. **Deputy Mick Wallace** asked the Minister for Agriculture, Food and the Marine if he or his officials have had discussions with the Department of Foreign Affairs and Trade or with Iranian officials regarding the possible resumption of exports of beef and lamb to Iran; and if he will make a statement on the matter. [13956/19]

Deputy Mick Wallace: Have the Minister or his officials had any discussions with the Department of Foreign Affairs and Trade or spoken to Iranian representatives with a view to reopening markets for beef and lamb sales? As has been discussed here at length, there is more beef in cold storage plants currently than we would like and not selling it to the likes of the Iranians does not make a great deal of sense.

Deputy Michael Creed: In February 2019, officials from my Department met the Iranian ambassador to Ireland, H.E. Dr. Masoud Eslami, accompanied by his economic counsellor. A range of subjects, including agrifood exports to Iran, were addressed at the meeting. I also met the ambassador personally on 21 September 2017. Total Irish agrifood exports to Iran in 2017 were approximately €11.5 million, the majority of which, or €10.25 million, was accounted for by dairy exports. According to the CSO, 26 tonnes of beef were exported to Iran in 2017, but there have been no exports of sheepmeat to date. The role of my Department is to open up markets for the industry and it is then up to the industry, with the support of my Department and Bord Bia, to avail of these opportunities. However, the actual levels of exports will depend on a range of factors, including global supply and demand dynamics, currency fluctuations and individual customer requirements.

A veterinary health certificate for the export of beef from Ireland to Iran was agreed in March 2013 and officials from my Department participated in a successful trade mission to Iran and Turkey in April 2016. While the trade mission was primarily dairy-focused, officials had the opportunity to meet with their Iranian counterparts in order to progress and ultimately agree sheepmeat access to the Iranian market and to explore other common areas of interest. Access for sheepmeat was officially announced in October 2016. Therefore, these markets are open at present but the resumption of exports is a matter for the industry. Limited or no exports to Iran can be explained by a combination of unfavourable trading conditions, cheaper supplies of beef from Brazil and of lamb from Australia to the Iranian market and financial barriers. Work is ongoing within the EU to devise measures to overcome financial barriers to trade between the

EU and Iran.

Deputy Mick Wallace: I realise that Iran is buying a great deal of meat from Australia, New Zealand and Brazil, as well as from Romania. It is buying a lot of meat from Romania. Only recently, the Iranians purchased 50,000 lamb carcasses. In 2018, they imported 160,000 tonnes of meat. It is a huge market which would like to trade with us. They have made it very obvious that they want to do business with us. Other countries are doing business with them and the Europeans are getting around the so-called US sanctions to sell all kinds of stuff. There is no logic to us not doing it. Surely, given the current situation, it would be a great boost to the agriculture sector if we developed a better relationship with Iran. It would be helpful to open the embassy in Tehran. I acknowledge that is a foreign affairs matter and not the Minister's responsibility but he should push for it. All the western European states that left, except Luxembourg, have put their embassies back in Iran. Lately, we have opened new embassies elsewhere and it is mad that we have not done so in Tehran.

Deputy Michael Creed: We are very anxious to have trade there. From recollection, it is a market of 80 million people and quite an affluent, middle-class one. It is also a gateway to a market of perhaps 250 million people through neighbouring countries. As such, it is significant. I have spoken to people in industry here directly and I have met the ambassador, who was very anxious that we would have trade. We open markets and engage on the terms and conditions under which trade can happen. My conversations indicate that there are issues, other than regulatory ones, which are a hindrance to doing trade. The function of the Department is to open and facilitate trade. We have been on trade missions there with regard to the terms and conditions on which it can happen, but we cannot compel the industry to trade with the people concerned. One issue is how rewarding is that market relative to others. Another issue I encountered in conversations I had with agribusinesses previously was how easy was it to get payments out of the country. Issues aside from regulation and the wish to trade still present a difficulty. As I mentioned, there are negotiations taking place at EU level also to facilitate greater trade and interaction.

Deputy Mick Wallace: The US sanctions on financial transactions are an issue, but one can get around them. Between March 2018 and March 2019 we sold them approximately €140 million worth of goods. How was it managed? It can be done and if there is a will, there is a way. It is not just down to the regulations either. The Department of Foreign Affairs and Trade has an issue in that it does not want to upset the US sanctions. However, the Europeans are getting around them and doing a great deal of business with Iran, but we are not. Consider the example of when we ran into problems in selling aluminium to the Russians because the United States had it on its list. There were many jobs at risk in Ireland and, rightly, we protected them. We got around the sanctions and reopened the sale of aluminium to Russia, despite the fact that it was on the US sanctions list. Where there is a will, there is a way. The State must facilitate the industry in selling to the Iranians. The blockage is not being caused by the Minister but is at foreign affairs level. The Minister should play a stronger hand to resolve the issue.

Deputy Clare Daly: I am glad to hear the Minister's strong statement that this is a significant market, one that he would like to open. That must be said. However, he appears to be suggesting the problem lies with the farming organisations. Is it not the case that they, too, are very keen to ensure the important Iranian market is seen as part of the solution to the problem of overproduction here? The situation has moved on. Most European countries are trading substantially with Iran, but, unlike us, they have embassies there. I presume that in the Minister's meetings with the ambassador the ambassador would have made it clear that this was an

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important issue for Iran too. One can understand this, given that every other country in Europe has an embassy there. When one has the information on the ground, it is much more verifiable and open when it comes to trade. Has the Minister had discussions with the IFA on the practical steps we could take to facilitate what he says he wants - I believe he does want it - the opening of this market? In addition, has he had discussions with the Department of Foreign Affairs and Trade on the need to open an embassy in Iran, given that it is a key part of this issue? The previous Taoiseach, Deputy Enda Kenny, said a number of years ago that he was willing to consider it. Every other country in Europe has an embassy there. Unless we do the same, we will lose important markets for farmers.

Deputy Michael Creed: It is not a question of opening the market. It is open. In 2017, we exported €11.5 million worth of goods to it. It is open for our main dairy products - beef and sheepmeat. It is a question of what it delivers in terms of profitability relative to any other market. If it is more profitable to be in another market, it is not in the interests of primary producers or the agriculture sector to send products there just for the sake of it. This is about ensuring whatever markets we are operating in are delivering maximum profitability and returns for the agriculture sector in general.

The opening of an embassy is an obvious issue. We are increasing our global footprint and I have spoken previously to the Department of Foreign Affairs and Trade about the issue because we see it not just as a market but also as a gateway to a significant region that has potential. However, that market is being supplied with beef from South America and sheepmeat substantially from Australia and at a price, particularly in the case of South American beef, with which we cannot compete. The point we make in the context of these markets is that it is not wise to have all of one's eggs in one basket in having a diverse range of suppliers. We are anxious to explore the possibility of supplying more to that market, but it must be on the basis that it is more rewarding than being in other markets. Ultimately, that is a call for businesses to make.

As I mentioned, there are other factors that make it difficult to trade there which are not related to regulations imposed by the State.

Ports Facilities

60. **Deputy James Browne** asked the Minister for Agriculture, Food and the Marine the position on his submission to the European Commission seeking the designation of Rosslare Europort as a border inspection post; when a response will be received from the European Union on the matter; and if he will make a statement on the matter. [13394/19]

Deputy James Browne: What is the position on the Minister's submission to the European Commission seeking the designation of Rosslare Europort as a border inspection post, although I understand such posts are now called border control posts? When will a response be received from the European Union on the matter?

(Deputy Michael Creed): The dossier requesting the approval of facilities located around Rosslare Europort as a border inspection post, BIP, was sent to the European Commission by my Department on 14 February. The Commission has subsequently communicated to my Department that it has approved the facilities to be designated as a BIP for the importation of products of animal origin for human consumption and products of animal origin not for human consumption, excluding bulk products and non-containerised liquids and oils. Officials from

my Department are continuing to liaise with the Commission on the designation of Rosslare Europort facilities for the importation of live animals and that approval is still pending. We expect to receive an update on the application shortly.

Deputy James Browne: If the United Kingdom takes third country status in the event that there is a hard Brexit, agrifood and fish products coming into this country will have to be inspected. The only port with such facilities is Dublin Port. A site was purchased or leased by the State approximately 2 km from Rosslare Europort. I raised the issue of the suitability of that site with the Minister for Public Expenditure and Reform, Deputy Donohoe, a couple of weeks ago. It is located 2 km from the port and I asked how we would manage to protect the integrity of goods in moving from one place to the other. Did the European Union have a comment to make on the appropriateness of that facility? Does the Minister still believe it will be available on 29 March or 11 April, as the case may be, if there is a hard Brexit? If not, will all of the products coming to Rosslare Europort have to be diverted to Dublin Port until such time as the facilities are available at Rosslare Europort?

Deputy Michael Creed: The procurement of the site is not a function of my Department. The Office of Public Works, OPW, would have been involved. I understand builders have been on the site since early February and we are satisfied that, although it may not be the Taj Mahal, it will be ready to function in the event that there is a hard Brexit. We were planning for a deadline of 29 March, but it will function from any date thereafter, if necessary. All of the infrastructural requirements have been met and staff appointments made, while the necessary back-up staffing arrangements are in place.

Deputy James Browne: For the sake of clarity, the Minister is satisfied that the border control post will be up and running in a few weeks, with full approval from the European Union for goods to pass through that border control post at Rosslare Europort.

Deputy Michael Creed: Yes.

Brexit Preparations

61. **Deputy Jackie Cahill** asked the Minister for Agriculture, Food and the Marine the EU mechanisms in place to ensure adequate price supports will be introduced for all Brexit scenarios, including a hard exit. [13914/19]

Deputy Jackie Cahill: We have heard a great deal about the price supports that will be put in place for the beef and dairy sectors in the event that there is a hard Brexit, but we would now like to see meat on the bones in order that we will know exactly what the supports will be. The current uncertainty is causing great anxiety in the agrifood sector. What plans are in place in the European Union to support incomes in the event that there is a hard Brexit?

(Deputy Michael Creed): My officials and I have been working very hard for quite some time to sensitise other member states and the European Commission to the potentially very severe impacts of a no-deal Brexit on the Irish agrifood and fisheries sectors. It has included a detailed analysis of the possible impact of the proposed UK tariff schedule in the event that there is a no-deal Brexit, as announced by the UK Government on 13 March. The schedule announced by the United Kingdom provides for zero-rated tariffs in a range of areas, including fruit and vegetables, live animals and all products exported to Northern Ireland. However, the

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United Kingdom has indicated that it will impose tariffs on sensitive products, including beef. I have emphasised that specific supports will be required to deal with these negative impacts. The threat faced by the Irish agrifood and fisheries sectors is explicitly recognised in the Commission's communication on contingency planning.

I have held a series of bilateral discussions with Commissioner Hogan on this issue, including at the European Council of agriculture ministers in Brussels last week. I stressed the need to be ready to deploy a range of measures to mitigate the potential impacts on farmers and processors, including through traditional market supports and the exceptional aid provisions under the Common Agricultural Policy, CAP, single Common Market organisation regulation, as well as increased flexibility under state aid regulations. Commissioner Hogan has reiterated the EU's readiness to respond and support Ireland and we will remain in contact on these issues as the situation evolves. The terms and conditions of any aid package will be announced in due course in the event that a disorderly Brexit occurs. I very much hope that this outcome, with all its associated negative impacts for Ireland, the EU and the UK, will be avoided by the acceptance of the UK Parliament of the withdrawal agreement.

Deputy Jackie Cahill: Farmers' confidence in the Commission getting up to the mark is not high. For two years in a row it reneged on its commitments on price supports for skimmed milk powder. Also, the support agreed in the previous CAP was withdrawn for two years running.

The Minister said that a pause button has been pressed by many in the agrifood sector. Unfortunately, this option is not available to the dairy sector, where volumes are increasing. Owing to a good spring, the volume of milk produced this year will be up significantly on 2018. I am aware that the Minister visited a processor in my county yesterday, which has plans in place for significant investment. Another co-operative in the county is doing likewise. As I said, the pause button is not an option in this sector.

The Minister also spoke about damage limitation. Damage limitation is not good enough. The beef sector is in crisis. The proposed intervention supports for beef will be inadequate. It will be a doomsday scenario if we have to rely on these intervention price supports. References to pause buttons and damage limitation is not good enough. We need to know what financial assistance will be put in place and at what price level the intervention will be set. The critical question is at what price level will the intervention be set in these scenarios?

Deputy Michael Creed: I did have the privilege of visiting Tipperary yesterday, where I saw first-hand the €30 million investment being carried out by Arrabawn Co-operative and I am aware of the investment at Tipperary Co-op. I appreciate that Tipperary is one of the engines of the agrifood and rural economy. Notwithstanding the uncertainty around Brexit, these investments are a signal of confidence. I am somewhat surprised that Deputy Cahill would hark back to the Commission's handling of the skimmed milk powder issue because what underpins the performance of the dairy markets is the fact that the overhang of skimmed milk powder in global dairy markets, in EU intervention stores, has been removed. As a result of the Commission's skilful handling of that, substantial commodities of skimmed milk powder were removed from the equation and this allowed the market to trade more freely without that depressant hanging over it. The Deputy's remark was an unusual starting point in the context of the dairy industry. I am sure dairy processors around the country would confirm to him that this has been a welcome development insofar as managing a difficult situation in the dairy industry is concerned. The Commission deserves some credit in that regard.

The range of interventions will be across the commodity areas, beef included, and will include the traditional ones of intervention and aids to private storage. I take the Deputy's point about intervention not being of much value in the context of beef. Our ambition in the context of what might happen in a worst-case scenario in the UK is to keep our product on the super-market shelves there, and to do that will require exceptional aid.

An Leas-Cheann Comhairle: There will be Members deprived of a question.

Deputy Jackie Cahill: I do not propose to get into an argument with the Minister about skimmed milk powder. The point I was making, which I think the Minister ignored, was that the European Commission reneged on a written commitment on price supports. While it did remove the volume of powder that was in intervention, for 18 months skimmed milk powder traded well below the intervention price agreed.

The reality is that beef farmers are in crisis and we face serious challenges in the markets for our cheddar cheese. We need to know what price supports will be in place. Currently at cattle sales throughout the country store cattle are coming out in large numbers. The buyers of those cattle need to know what supports will be put in place. As I stated in my previous supplementary, existing intervention supports for beef are inadequate. We need to know what will be put in place. We need flesh on the bones in terms of what level of price supports will be put in place, which for cheddar cheese and intervention beef are essential.

Deputy Michael Creed: As I said, intervention and aids to private storage, APS, would not be, I believe, of much benefit in the context of the beef sector. They are instruments that are available under the CMO regulations that could be of benefit in other commodity areas, perhaps the cheddar cheese area or on the pork side, for example. I do not want to rule anything out. In my opinion, intervention is not the best way to deal with what could be a very challenging sector for beef. The challenge for us, in the context of the UK market, is to keep our product there while we get to a situation where we negotiate a comprehensive free trading agreement. We hope that this will happen in an orderly way, but in the event of a crash out, exceptional aid will be required. This has been provided for as well and has been deployed previously by the Commission in the context of the Russian market and the Baltic states, for example. There is some experience but this situation is of a scale that is much different and much more significant than that incident. For this reason, I believe exceptional aid will be necessary in the context of the beef industry. This aid, as I have always said, will be a combination of exceptional aid, APS, intervention mechanisms available under the Common Market regulations and Exchequer funding.

Brexit Preparations

62. **Deputy Thomas Byrne** asked the Minister for Agriculture, Food and the Marine the contingency steps being taken to limit the impact of a no-deal Brexit on the agriculture sector here. [13994/19]

Deputy Thomas Byrne: Will the Minister outline the contingency planning of his Department in the context of a no-deal Brexit? We have had very little detail from the Government as to its plans for the agriculture sector in the event of a no-deal Brexit. Some 35% of Irish food exports, worth billions of euros, go to the UK. This is crucially important. It is only right that farmers and consumers would know what the plans are for a no-deal Brexit.

(Deputy Michael Creed): The Government has taken a number of contingency steps to help mitigate the impacts of Brexit on the agrifood sector. For example, I have introduced a number of budgetary measures aimed at improving competitiveness and developing market and product diversification. These have included low-cost loan schemes to assist in on-farm and agri-business cost effectiveness, additional supports to Bord Bia and Teagasc to support market and product diversification and, in budget 2019, a €78 million package to support farmers, fishermen and food SMEs.

I have also held discussions with Commissioner Hogan on the impact of Brexit, most recently at the European Council of agriculture ministers in Brussels. I have stressed the need to be ready to deploy a range of measures to mitigate the impact on the sector, particularly on the beef sector, which would be severely affected by, for example, recent UK proposals on tariffs. Such measures could include traditional market supports and exceptional aid provisions under the Common Agricultural Policy, CAP, single Common Market organisation regulation, as well as increased flexibility under state aid regulations. Commissioner Hogan has reiterated the EU's readiness to respond and we will remain in contact on these issues as the situation evolves.

While ratification of the withdrawal agreement is still the Government's objective, preparations are under way for a no-deal Brexit. On preparedness for import controls, we have been working with other Departments and agencies to have the necessary arrangements in place at our ports and airports to allow the Department to fulfil its legal obligations as efficiently as possible while also ensuring the minimum possible disruption to trading arrangements. The Department has also sharpened its Brexit communications strategy, which now includes an enhanced Brexit page on the Department's website, the circulation of focused trader notices to the relevant sectors, the establishment of a Brexit call centre and central email address, and increased use of social media and communications.

Deputy Thomas Byrne: The Minister spoke about the discussions he had with Commissioner Hogan, the Department of Agriculture, Food and the Marine website, and discussions on our ports and airports in terms of legal responsibilities, but he did not set out any plans for the agriculture sector in the event of a no-deal Brexit. He also did not provide any information for exporters in regard to what might or could reasonably be expected in terms of what is required. Neither has the Department given any guarantees to consumers that our food chain and farmers will not be adversely affected by imports of dodgy food because of reduced standards in the UK in the event of a no-deal Brexit, where our farmers would have to compete with food of lower standards and our consumers might have to purchase food of a lower standard. Has that come into the Department's preparation for a no-deal Brexit? We must bear in mind jobs, incomes and the impact there will be throughout rural Ireland if the Government does not prepare properly for such an event.

Deputy Michael Creed: The Government and I are fully aware that the agrifood sector is the most exposed sector in the context of Brexit. The premise of the Deputy's question appears to be that if we were adequately prepared, the world would continue unchanged in the event of Brexit either through the withdrawal agreement with a transition period or in the context of a crash out, but that is simply not the case. The world will change when the UK leaves but what we can do is prepare as well as possible. The trading environment with the UK will be changed irreversibly, given that it will move from having been in the Single Market and customs union to either being a third country in the event of a crash out or, following a transition period, to being a country with a comprehensive future trading relationship.

Even in the latter event, which we hope for, the trading environment will not be as good as what we currently enjoy. We have tried, therefore, to build resilience within the sector to prepare for the challenges that lie ahead by working in all the commodity areas, such as beef and dairy, and the processing industry to foster market diversification. More resources are being given to Bord Bia, there are product diversification incentives, farmers are being assisted with financial products and so on. The response, therefore, has been comprehensive, but no response will enable the industry to continue as though life has not changed significantly, which is the unfortunate reality of Brexit.

Deputy Thomas Byrne: To be clear, I do not blame the Government for Brexit but we can hold it to account for the lack of preparation, the lack of communication of the preparation, the lack of a plan for what will happen and the hoping against hope that everything will be all right on the night. While we know that Brexit will be bad whatever way it happens, all we can ask the Government to do is to be fully prepared and answer questions that arise as to what checks would be on animals and food products at our borders. The Minister has previously refused to answer that question, as have other Ministers. We always speak in terms of discussions, negotiations and correspondence, but what will actually happen if Britain crashes out in a no-deal Brexit? Nobody knows whether that will happen but it is no good for the Government to hope that it will not happen. I hope it will not happen but if I were in the Minister's seat, I would ensure we were fully prepared and would do everything we could to ensure our farmers, food industry, consumers and we were best prepared for it.

Deputy Michael Creed: I assure the Deputy that as one of the remaining member states, we will be fully compliant with our obligations when dealing with imports from a third country, which involves the preparations to which I referred earlier in the context of border inspection post facilities at Dublin Port, Dublin Airport, Rosslare, etc. There will be no question of consumers here being subjected to dodgy foodstuffs. We will apply the regulations and certification requirements to products that are imported from the UK. I do not expect significant changes on day one, day two or day ten, because we have operated in the same regulatory environment. Over a period, however, as there may well be regulatory misalignment, and as the UK diverges in its regulations and food production systems, our regulation and protection of the integrity of the Single Market will ensure our consumers are protected in the east-west flow of goods.

In the comments of the Deputy and his colleagues, there almost seems to be a sense of disappointment that we are not preparing for hard Border infrastructure. We are not preparing such infrastructure at all.

Brexit Preparations

63. **Deputy Aindrias Moynihan** asked the Minister for Agriculture, Food and the Marine the uptake of the Brexit loan scheme by firms in the agriculture sector; and if he will make a statement on the matter. [13990/19]

Deputy Aindrias Moynihan: The report published by the Economic and Social Research Institute, ESRI, this morning was stark and blunt in respect of the threat of a no-deal Brexit hitting anything up to 80,000 jobs. While we have known for some time that there is a heavy-weight threat, and while a large suite of measures has been taken, such as loans, conferences and grants, the take-up seems to be low and I am not sure there is a realisation of the urgency of the matter or the need to prepare. Will the Minister outline the level of take-up for those

schemes?

Deputy Michael Creed: The €300 million Brexit loan scheme was developed in co-operation with the Department of Business, Enterprise and Innovation and the Strategic Banking Corporation of Ireland, SBCI, to provide working capital support to enable eligible businesses to implement the necessary changes to address the challenges posed by Brexit. The scheme was opened for applications on 28 March 2018 and will remain open until 31 March 2020. It provides for loans of between €25,000 and €1.5 million per eligible enterprise at a maximum interest rate of 4%, ranging from one year to three years, with unsecured loans up to €500,000. The loans can be used for future working capital requirements or to fund innovation, change or adaptation of the business to mitigate the impact of Brexit. Applications for eligibility assessment must be made to the SBCI which, on approval, assigns an eligibility reference number. The reference number, along with the loan application, may be then provided to a participating lender.

On 15 March, 523 eligibility applications had been received, of which 472 were approved and 9 were ineligible. The total number of loans which had been progressed to sanction at bank level was 89, at a value of €19.34 million, 18 of which related to food businesses with a total value of €5.7 million. While the number of loans progressed to sanction level is relatively low, it reflects the current uncertainty regarding the outcome of Brexit. The number of eligibility applications approved, however, indicates a good level of interest in the scheme and is a good indicator of businesses engaging in Brexit preparedness.

In addition to the Brexit loan scheme, the future growth loan scheme has been developed by my Department and the Department of Business, Enterprise and Innovation in partnership with the Department of Finance, the SBCI and the European Investment Fund, EIF. It will be delivered through participating finance providers and will make up to €300 million of investment loans available to eligible businesses, including farmers and the agrifood and seafood sectors. The loans will be competitively priced, will be for terms of between eight and ten years and will support strategic long-term investment in a post-Brexit environment. This is a long-awaited source of finance for young and new entrant farmers, especially the cohort who do not have high levels of security. It will also serve smaller-scale farmers, who often do not have the leverage to negotiate for more favourable terms with their banking institution. Food companies have identified long-term investment finance of up to ten years as a critical need which is unavailable in Ireland. I am pleased that the Government has been able to deliver this product and its effects will be felt throughout the food production chain, from primary producer to processor.

The SBCI held an open call earlier this year inviting banks and other lenders to become lending partners. It advises that a period of due diligence, including by the EIF, is nearing completion. I have urged the SBCI to operationalise the scheme as soon as possible. It will run for three years from its launch date and I expect to make further announcements in this regard soon.

Deputy Aindrias Moynihan: The Minister outlined the figures for the Brexit loan scheme and acknowledged that a take-up of less than €20 million is low, which is correct. He also outlined other demands but he did not provide the figure in that regard. Will he outline the number of businesses which applied for that scheme?

On the Brexit loan scheme for farmers, which was announced one year and a half ago, when will farmers be able to draw funds from it?

The Taoiseach outlined earlier a further suite of measures to be announced later in the week. Along with the figures which the Minister has provided, is that not an acknowledgement that the schemes in place are not adequate, working or delivering for people on the ground?

Deputy Michael Creed: As outlined in my initial reply to the Deputy's question, there have been 523 applications for the loan scheme, of which 472 have been approved. That a number of businesses which have had their applications approved have not proceeded to draw down the loan is a reflection of the uncertainty that exists in the business environment. People require certainty before they make investment decisions, which is understandable. The loan scheme is expected to last until 2020 and, therefore, quite a period of time remains.

It is one of three schemes that we have run. We have run the €150 million working capital scheme, this €300 million loan scheme and there will be a third scheme, as the Taoiseach mentioned earlier, details of which will be made available later this week. There has been a comprehensive response to provide access to finance. The loan scheme is just one part of a comprehensive strategy in the context of business needs, particularly agrifood, which are firmly rooted in the context of the environment in which they operate, Brexit, exposure to the UK market and so on. It has been a substantial, coherent response and, as the Taoiseach indicated, there will be further developments on the other loan scheme soon.

Deputy Aindrias Moynihan: There are funds which the Minister has said are not drawn down but he has not given an indication about what level of funding is involved in that. We know approximately €20 million is approved. What is the other amount that has not been drawn down yet because of the uncertainty about whether it will go ahead? What value is there on that? When will farmers be able to draw down funding from that scheme that was announced a year and a half ago?

We saw when the euro was introduced that people had money in hand, there was a long lead-in time, people had certainty, understood it and were comfortable with it. When there was foot and mouth, people rowed in behind because they had information and understood what it meant, and there was great goodwill behind it. There is a significant gap here with the Brexit schemes. Is the Minister putting out enough information for those companies to be able to access and adequately draw down from those schemes? Is the fact that the Minister has had to come with a third tranche that we understand will be announced later in the week not an acknowledgement that the schemes that are there have not delivered or been adequate? Was it misunderstood that there was a large vulnerability there?

Deputy Michael Creed: I do not think so. The three schemes are all somewhat different. The first €150 million was a working capital scheme. It has stimulated competition in the marketplace to such an extent that the product that we introduced at 2.95% is close to what is currently available in the marketplace. That initiative has triggered greater competition for working capital. Details will be announced later for capital investments for longer than seven years, primarily in the area of agricultural investment or the fishing industry, which I would be concerned with. Most of the money available from financial institutions for capital investment is secured land and it is up to seven years, whereas the gap in the market is for unsecured money over seven years at very competitive prices. The third product we are bringing in is to drive capital investment. The one which we are talking about in this question is not targeted at primary producers but at the business community and has complemented the one which will shortly be added and the one which was done previously.

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Bovine Disease Controls

64. **Deputy Willie Penrose** asked the Minister for Agriculture, Food and the Marine his views on whether the role of deer in the spread of tuberculosis needs to be taken seriously and investigated in a comprehensive scientific manner. [13961/19]

Deputy Willie Penrose: We have spent approximately €7 billion since the mid-1950s to try to eliminate TB in the TB eradication programme. Another €1 billion is promised by this aspirational date of 2030. The Minister has a better chance of winning the lotto than of eradicating TB. Has he any views on the possible role of deer in the spread of TB in cattle?

Deputy Michael Creed: The role played by deer in the spread of bovine TB is the subject of a detailed scientific investigation being carried out by officials from my Department in collaboration with UCD, focusing on the genetic relationship between strains of bovine TB isolated from cattle, deer and badgers in County Wicklow. Previous work carried out by my officials in this area had demonstrated that the same strains were circulating in the three species in the Calary area of Wicklow. A related investigation carried out by the Calary deer steering group, which involves my officials, the National Parks and Wildlife Service, Coillte and the Irish Farmers' Association, IFA, is continuing to conduct a survey of the level of TB in culled deer in that area.

In other parts of the country, there is little or no evidence of deer playing a significant role in the spread of TB in cattle, although they may be a spillover species. In any area where there are local concerns about deer and TB, my officials are willing to test culled deer for TB free of charge through the regional veterinary laboratories. In this way, if there are areas where deer may play a role locally, this can be detected.

Deputy Willie Penrose: I am glad that the Department will play a positive role in testing any culled deer with regard to this possibility. I agree that deer are considered to be spillover hosts as opposed to maintenance hosts. Professor Simon More was before the Joint Committee on Agriculture, Food and the Marine and we had an intensive discussion on the epidemiology of it. No conclusive scientific connection is believed to exist between deer and the spread of TB, notwithstanding that they are localised areas. This is the problem and this is apparently prevalent in New Zealand, North America and parts of the UK. Nevertheless, I urge the Minister to focus on it, especially in the area of Wicklow that he referred to. Other areas in the country are sporadically affected. Notwithstanding that there is not scientific evidence, there is anecdotal evidence from people that deer can act as a host in the spread of TB. That may just be somebody speculating but I am glad that the Department is on top of it and that it is running that study in conjunction with Professor More from UCD.

Deputy Michael Creed: In his opening remarks, the Deputy alluded to the cost of the TB eradication scheme since its introduction in the 1950s. It is a staggering amount. My own figure is in the region of €5.5 billion in today's money to take out approximately 2.5 million reactors in that period. It is a devastation that visits farmers if their herds go down with it. If we continue to do the same thing that we have been doing by and large since we introduced the TB scheme, we will be here in 2050 and will have the same level. I note the Deputy's observations about the stated ambition to get rid of it by 2030. If we keep doing the same things that we are doing by 2030, we will not get rid of it. That is why the challenge for the TB forum is maybe to step out of its comfort zone and see what steps we could take, difficult though they may be to contemplate, that would drive us to meet that ambition. That ambition will deliver

for all farmers if we achieve it and it is a significant task to have set that TB forum. I welcome the work that it is doing and await its reply with interest.

Deputy Willie Penrose: I agree with the Minister. The definition of foolishness is repeating the same thing and expecting a different result. The taxpayers must be bewildered and bemused by this. In our area, we used to talk about draining the Shannon. Of course, it never happened. There is a better chance of draining the Shannon than getting rid of TB. I say that confidently. I will be leaving here in five or 12 months. I hope I will live for a few years and look back and the Dáil will still be talking about TB eradication. It is frightening that we are not able to get to it. It has been done in New Zealand. It is down to such a low level that it has virtually been eliminated. We have to target areas and engage in risk targeting and such things that Professor More spoke about. It will be difficult and hard to sell and there is already resistance in the TB forum from some farm organisations. At the end of the day, the question will be whether the taxpayer will continue to fund it.

Deputy Michael Creed: I listened with interest to the professor's contribution at the committee. It was interesting, challenging and thought-provoking. I have deliberately refrained from public commentary on what has been in public media about the deliberations of the TB committee. It was tasked with a job and I would like to see it present its report. The Deputy is right that if we continue to do the same things as we have been doing, we will not get to that situation. We need to turn the tables around. Some 97% of herds are currently TB free. The challenge is to keep those 97% TB free and to make progress with the 3%. I acknowledge it is a significant problem for herds that go down. The 3% sometimes dominate the debate and we are not sufficiently concerned about how we keep the 97% and get to 100% TB free. That is the challenge between now and 2030. To do that, we will have to do things differently from how we are doing them.

Beef Industry

65. **Deputy Martin Kenny** asked the Minister for Agriculture, Food and the Marine the initiatives he plans to put in place to protect the future of the beef sector from Brexit and future trade deals such as the Mercosur deal in view of the decline in the beef sector here; and if he will make a statement on the matter. [13988/19]

An Leas-Cheann Comhairle: We only have a few minutes left so I suggest that Deputy Martin Kenny forfeits his introduction, the Minister replies and there is one supplementary.

Deputy Michael Creed: There is no doubt that the beef sector faces considerable challenges in the form of Brexit and the potential outcome from the EU-Mercosur trade negotiations. However, the Government is doing everything it can to ameliorate the potential impacts, including raising the cumulative effect of these developments in its ongoing engagement with member states and the European Commission.

On Brexit, in addition to the range of measures that I have deployed over the past three budgets, including low-cost loan schemes and supports for product and market diversification, I and my officials have been in ongoing discussions with the European Commission about the potential supports that may be required for the beef sector in particular in the event of a no-deal Brexit. Most recently, I met Commissioner Hogan on the margins of last week's Agriculture and Fisheries Council in Brussels to discuss potential options and we will remain in contact as

the situation evolves.

With regard to free trade agreements, we must acknowledge that these are very important to Ireland, given our status as a small, open economy. However, our approach to negotiations is informed by the need to make progress in areas where we have offensive interests, and to strongly defend those areas where threats may arise. We are therefore adopting a pragmatic, balanced approach, consistent with overall Government policy.

This approach is evident in our handling of the Mercosur negotiations, where we continue to urge the utmost vigilance, and insist that they are handled in a manner that safeguards the interests of the Irish and European beef sector. I also continue to stress that full account must be taken of the findings of the Commission's own assessment of the cumulative impact of trade deals on the agrifood sector and at the Council of Agriculture Ministers on 18 March, I specifically drew the attention of the Council to the very clear linkage between the inclusion of a beef tariffable quota in any Mercosur deal, and the potentially very damaging impact of Brexit on an already delicately-balanced EU beef market.

Deputy Martin Kenny: The issue of Brexit is complicated further by the EU's insistence on carrying out trade deals particularly in places such as Latin America and Mercosur. There is an irony in this because great pressure is coming on the production of beef and other meat from a climate change and greenhouse gas perspective, mainly from the European Union, which may fine us for our greenhouse gas emissions. One of the ways it is pushing us to deal with that is by a reduction in the number of cattle and in beef production yet it is talking about doing a trade deal with Latin America to produce beef where there used to be rainforest. It will then be transported halfway around the world. Somebody somewhere needs to make the connection and see this does not work from an environmental or trade point of view, and from the point of view of the farmers in Ireland who produce beef - as the Minister and others have acknowledged - in almost the most environment-friendly manner in the world. There are serious issues to be dealt with.

While I acknowledge the Minister's words that as an open economy we need to have trade deals with other countries, we need to also recognise the damage those trade deals can do, if they are handled badly. There will be damage here if we continue to insist on bringing beef from regions on the far side of the world, such as Latin America.

Deputy Michael Creed: I appreciate the Deputy's points. We have been extremely vigilant in our engagements with the Commission and the Commissioner on Mercosur in particular. The flip side of that, however, is that as a small economy that exports to over 180 countries, we benefit from those trade deals in reverse because we would not be in those markets were it not for our membership of the European Union and the clout it has when it knocks on doors to conclude trade deals. Consequently, wherever I have gone on trade missions I have been following the Commission, which has opened doors by concluding or improving upon trade deals such as between the EU and Mexico, the Comprehensive Economic and Trade Agreement, CETA, with Canada, between the EU and Japan and between the EU and Korea. They are very interesting because they align perfectly with Food Wise 2025, which has identified that area, in particular the south-east Asian economies, as providing opportunities for our agrifood exports.

It is imperative in contrast with others where we have defensive interests in trade agreements, particularly in Mercosur, that our product is in those markets, not just because it is safe and nutritious and traceable but increasingly because to get inside the door, we must be able to

prove our sustainability credentials.

Written Answers are published on the Oireachtas website.

Saincheisteanna Tráthúla - Topical Issue Debate

Public Transport Provision

Deputy Martin Kenny: The issue I am raising today concerns wheelchair accessibility on Bus Éireann route 480 between Donegal and Sligo towns, which includes access to Institute of Technology Sligo. This has been raised particularly by a lady living in Ballyshannon, Victoria Matthews, who has protested and campaigned very hard on this. She is a wheelchair user. She intends to do a course in the institute of technology in Sligo and there is no public transport to bring her there because there is no wheelchair accessibility on the bus serving that route.

When she started this campaign, many others in similar situations in many parts of the country raised the issue and there have been articles about this issue in *The Irish Times* and other newspapers. When we talk to people in Bus Éireann the answer we get is that it is moving toward a situation where transport will be accessible to all. To do that properly it needs, in as many places as possible, particularly relatively short routes, such as the one from Donegal to Sligo, to use the buses with low access. When the bus pulls in a short ramp comes out and the person with the wheelchair is on the bus very quickly. That is the model we need to see in most places. Bus Éireann in Sligo tells me it has several buses doing that but they are not allocated to that route and it says it does not allocate the buses to the routes, that is done by the National Transport Authority, NTA. That is a disconnect that needs to be resolved.

I am sure the Minister for Transport, Tourism and Sport has a written reply telling me about all the places where there is public transport that is accessible to all. There are many routes in rural Ireland like this one, where people in wheelchairs and people who have difficulties and disabilities want to access public transport, not just from an equality point of view but also because it would enhance their lives and give them a sense of a future by doing courses in college, as this lady wants to do, or employment opportunities they may want to take up but that they do not even consider because travel to those places is closed off as there is not proper access on the bus routes.

I look forward to the Minister's reply. Vicky Matthews is starting this course at the end of next September. We need to see fully wheelchair-accessible transport in place between Donegal town and Sligo IT, and Sligo town, on that route 480 before then. I appeal to the Minister to make that happen.

Minister for Transport, Tourism and Sport (Deputy Shane Ross): I thank the Deputy for raising this issue. I am aware of the campaign and the case to which he is referring. Whereas we have concentrated and done an enormous amount for people with disabilities and there is no doubt about that, it is shown in the figures and the results, we cannot do everything and I cannot intervene in a specific case or route to satisfy one person, however awful their hardship. That is not my role. I will, however, certainly pass on what the Deputy says about that case to the NTA.

What we have done for disabilities in transport, what the Oireachtas Joint Committee on

Transport, Tourism and Sport has done and what people such as Senator Dolan and the Minister of State with special responsibility for disabilities, Deputy Finian McGrath, as well as others in this House who are involved, have done has involved making a great deal of progress but it is slow enough progress. When a Deputy brings an impeccable and unanswerable case like that before the House, we will do everything we possibly can to see that as soon as possible, the Deputy will not be able to come into the House with cases like that and nor will any other Deputy. There are multiple such cases around the country. I know the Deputy is right about that because certain coaches are not fully wheelchair accessible but we are moving as fast as we can in that direction. The Deputy's case, which is compelling, will be conveyed to the NTA and I will suggest that it should spur it on to further efforts to make sure the necessary measures are taken countrywide, which we aim to take as soon as possible.

I am not involved in the day-to-day operations of public transport. This is a very good and suitable forum for the Deputy to bring up the case but he would not expect me to say that I will move and do something with the 480 route between Donegal town and Sligo, including access to Sligo Institute of Technology, this evening. It is not something which is either
6 o'clock within my power or would be possible for me to do. What the Deputy has done is to highlight the case which is there, as well as the case of others, who are undoubtedly in the same boat. I have explained to the House previously that under the Dublin Transport Authority Act 2008, the NTA has statutory responsibility for promoting the development of an integrated, accessible public transport network.

In addition, the NTA has responsibility for the purchase of bus and coach fleets required by Bus Éireann to which the Deputy referred, Dublin Bus, Go Ahead and other operators which operate subsidised public service obligation, PSO bus services on behalf of the NTA. The NTA has advised that Dublin Bus and Go Ahead fleets are fully wheelchair-accessible by ramp. All urban services operated by Bus Éireann are also fully wheelchair-accessible by ramp. However, and the Deputy obviously wishes to highlight this, Bus Éireann's regional services are primarily operated using high-floor coaches, which are wheelchair-accessible by lift. In practice, lifts are less flexible than ramps as they require the removal of seating in order to accommodate passengers in wheelchairs. I am advised that for that reason, passengers need to give Bus Éireann advance notice of their intention to travel. In addition, a large flat area of adjacent footpath is required to operate the lift, typically 3 m wide and 3.5 m in depth. According to the NTA, in many towns and villages it is extremely challenging to achieve the necessary footpath dimensions for the vehicle lift to function. Solutions such as relocating the bus stop to an alternative location may be necessary, but this can give rise to additional problems in that the alternative stop location may not suit other users. In other cases, land or property acquisition may be required to obtain the necessary space, potentially requiring the exercise of compulsory acquisition powers to acquire the relevant lands.

Deputy Martin Kenny: I understand that while the Minister cannot specifically deal with this case I would like to broaden the issue out. I met Vicky and other wheelchair users in Ballyshannon in recent weeks and they told me that if, for instance, they want to go to Dublin Airport on the bus, they can use a bus that has a lift to get onto the bus. However, they feel this is most inappropriate because it really emphasises their difference in society because the bus has to stop and a huge area of footpath is taken up after which a ramp comes out and comes down. As one of them said, it is like loading cargo. It takes almost ten minutes for them to get loaded onto the bus. Then if it is a long bus trip in particular, very few of them use it but try to get a train instead because at least on a train, there are toilet facilities, which do not exist on the bus. The

bus does not stop and if it does stop somewhere where they want to use the toilet, it is a siege and a half to get off the bus and get back on again.

There really needs to be some joined-up thinking on this issue. The Minister's reference to the National Transport Authority in respect of that is well and good but high-floor buses basically do not work for people in wheelchairs or for people with disabilities in general. I looked at that bus that was being used in Donegal. It was parked in the bus station in Ballyshannon on one of the days we were visiting the town. I counted six steps to get up to the level of the bus. Even if one takes away the person in the wheelchair, there is the elderly person and it is a serious issue for older or more frail people who have difficulty walking or using steps. What we need to do is to quickly move to a situation where low-access buses are used in as many places as possible. Particularly in the case of long journeys, if rail transport can be used and is more accessible, we need to make sure there are links to such transport for people with disabilities. In some cases, one will be talking about going back to trying to have a taxi available to bring people to college and so on.

In this particular case, there is a solution. There are buses based in Sligo that have low access and if those buses are transferred onto this route, this issue can be solved. I appreciate it is not the Minister's job to direct the National Transport Authority but at the same time, I am sure he could have a conversation with it, without directing it.

An Ceann Comhairle: Hopefully, the NTA hears what the Deputy is saying.

Deputy Shane Ross: So can the Deputy. I am sure the NTA would be as accessible to him as it is to me. I agree with everything the Deputy says. I will not be content until we have got a situation where those in wheelchairs can travel as easily as we can and we are nowhere near that situation yet. I am not saying anything in a mood of self-satisfaction but hopefully we are moving in that direction. We have acknowledged it with additional funds and fast moves in the direction of greater accessibility but it is not good enough yet.

Let me update the Deputy with the situation as it is now. The NTA's objective is to upgrade bus stops, where possible, to ensure that all main towns have at least one wheelchair lift-accessible bus stop in each direction. This programme is at an early stage. The NTA advised that plans are in progress for the installation of wheelchair-accessible stops at Ballyshannon and Sligo bus stations. However, according to the NTA, it is likely to be 2020 or 2021 before those works are completed. The NTA is aware that high floor single deck coaches do not offer a good customer experience to wheelchair users, which is what the Deputy referred to. While there is currently no viable alternative to the use of these vehicles on longer distance services, the NTA, along with Bus Éireann, is implementing a change in its fleet strategy for shorter regional commuter services. In future, an increasing number of these services will be operated by low entry coach-style vehicles, rather than high-floor coaches. The NTA is in the process of procuring these vehicles, which are equipped with a ramp at the entrance door suitable for the mobility impaired and a dedicated wheelchair space within a low floor area in the front half of the vehicle.

In the normal course of events, operators are responsible for determining the allocation of bus fleet to individual bus routes. From a policy perspective, I advised the House recently that one of my priorities is to complete a review of existing public transport policy as committed to under A Programme for a Partnership Government. This review is a significant and substantial resource commitment and my Department has commenced and substantially completed the

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research and analysis required. I urge everyone, including Members of the Oireachtas, to take the opportunity to contribute to the public consultation and outline their views on all aspects of public transport policy, including in relation to accessible public transport.

An Ceann Comhairle: Is the Minister taking the next matter?

Deputy Shane Ross: No.

An Ceann Comhairle: We will suspend the House for five minutes in view of the absence of any Minister to take any business.

Sitting suspended at 6.09 p.m. and resumed at 6.15 p.m.

Home Care Packages Provision

Deputy Fergus O'Dowd: There is a serious crisis in the area in which I live for people suffering disability who are trying to live at home and maintain a living standard in their own home with due and proper care. There are nine community healthcare organisation, CHO, areas in the country. I live in County Louth and represent part of County Meath. My community healthcare organisation area also includes part of the midlands. I had a constituent who, because of their disability, was entitled to 56 hours home support per week. For days, they would lie bedridden with nobody to care for them or go in and out. The other family member was away working during these hours. The answer we were given as to why there was nobody to do the work, even though 56 hours had been granted, was that the only hours which could be allocated are recouped from existing service users and recycled. In other words, somebody would have to die before that person could get the hours they needed. It is not the only such case in this area. At least three other cases have been brought to my attention where a person needed a significant number of home support hours and could not get them until another party died. That is absolutely unacceptable, particularly in these days when, as the Minister of State knows and which I welcome, more money than ever is available to allow people to have home help.

I refer the Minister of State to the spending review of 2018 entitled, Trends in Public Social Care Service Provision and Expenditure for Older Persons. Figure 9 on page 17 of that report is exceptionally clear. It shows that of the nine community health areas, CHO 8, which covers Louth, Meath and the midlands, has a ratio of home care expenditure and percentage of population aged over 75 that is 30% less than is expected. There is a significant underspend in Louth, Meath and the midlands in respect of home care. These are figures produced by the Department of Public Expenditure and Reform based on census data from the year 2016. It is absolutely unacceptable. I acknowledge and support the Government policy of a statutory right to home care packages. I support people's right to have care in their homes, the right not to be forced into nursing homes against their will and the right to independent living as best they can. However, it is not happening in my constituency.

I would also bring another case to the Minister of State's attention. I refer to a child of six who has a rare syndrome, Pallister-Killian syndrome. After they passed the age of five, 18 months ago, they passed from the care of the Jack and Jill Children's Foundation into State services. For 18 months they have been granted home care hours but there is nobody to provide that service whom the HSE will pay. This person lives in the County Meath part of my constituency and the services providers there cannot provide a qualified person. There is somebody

who is qualified for the Jack and Jill services, who can provide the services professionally but the HSE will not pay them. That is a shame and a disgrace. The family is in deep distress. They have asked me to bring the matter to the Minister of State for reply this evening.

Minister of State at the Department of Health (Deputy Finian McGrath): I thank the Deputy for raising this important issue and giving me the opportunity to outline the position on the provision of home care packages for people with disabilities. I can assure him of the Government's commitment to providing services and supports for people with disabilities, which will empower them to live independent lives, provide greater independence in accessing the services they choose and enhance their ability to tailor the supports required to meet their needs and plan their lives. The commitment is outlined in A Programme for a Partnership Government and guided by the principles of equality of opportunity and improving the quality of life for people with disabilities. This year €1.9 billion has been allocated for the HSE's disability service programme, which represents an increase of 7.5% on the allocation for last year. It will fund the provision of a wide and complex range of services and supports for people with disabilities, including the provision of home support packages. HSE disability services constantly review all allocated hours to ensure a fair and equitable distribution of resources in an effort to meet emerging needs. The review of the current allocation is ongoing and every effort is being made to meet demand within the current available resources.

The HSE is also working to improving quality of life for people with disabilities through the provision of home support hours. In its national service plan for 2018 the executive's priority was to provide 2.93 million home support hours for over 7,400 people with a disability. The actual number of home support hours provided in 2018 was higher; over 3 million hours were provided for over 8,000 people with a disability. This reflects the responsive nature of the service and takes account of the fluctuation in assessed need over time, as the needs of individual people change. This year the HSE is committed to maximising the provision of health and social care services, including home support services, within available resources. In its national service plan for 2019 the HSE expects to deliver over 3.08 million home support hours to over 8,000 people with a disability. This represents an increase of 150,000 hours on the last year's target.

We are committed to providing services and supports for people with disabilities which will empower them to live independent lives. The goal is to help as many people as we can. This is a positive development, on which we can build in years to come.

On the individual matter raised by the Deputy, I am sure he will understand my reluctance to speak in any great detail in the House about the specifics of any one case, given the personal nature and circumstances of the matter. However, I am aware that a multi-disciplinary team meeting was held on 11 March to discuss the current waiting list in the County Meath disability service, with a view to the prioritisation and allocation of resource hours which became available this week. Subsequently, the individual concerned was allocated 42 hours a week. She will remain on the waiting list to be allocated the additional 14 hours. The Deputy can be assured that I will take a special interest in the case.

Deputy Fergus O'Dowd: I thank the Minister of State for his reply, but I regret that I do not accept the principle he is enunciating. He is saying more and more money is being spent, but that is not the case in the CHO 8 area. Funding only became available when people died; I have received a letter from the HSE to that effect. They have been called "recycled hours", meaning that they have been reallocated on someone's death. While I agree and acknowledge that more

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money is being spent than ever before, it is not being spent in this area and I want the Minister of State to investigate the reason for this. I have spoken to officials in the HSE who are also very concerned. Why is it the case that the service in CHO 8 has not received an increase in allocation? Why is there no money available? People are coming to my office and I have to fight for their rights. What about the poor child, aged six years, who cannot receive the 18 hours he has been granted? That is unacceptable in our society. I acknowledge the work the Minister of State is doing and the €20 million in extra funding he is providing to keep people out of hospital and in their homes, but we are not going far enough. As a Government, we have to do a lot more in providing disability services for people who need care and want to stay at home. They are being placed in appalling situations, including the lady I described. The request was not made yesterday or the day before but last year when she was in a wheelchair, not bedridden like she is now. The quality of care she needed and which it was agreed to provide was denied to her. Her human rights were denied. Someone somewhere has a policy and is enforcing a rule in an area at the beginning of a financial year in which more money than ever before has been provided to make sure a service is available.

Deputy Finian McGrath: This is a very important issue and we have to understand exactly what has happened. The topic affects many people throughout the country. The home support service provides domestic or personal care inputs on a weekly basis. Temporary relief is offered to the carer by way of providing a trained, reliable care attendant to look after the needs of the person with a disability. The service provides support for parents which enables them to spend quality time with other siblings in the family. It also supports the individual with the disability in the context of his or her care plan, with particular attention being paid to the personal needs of the individual. Home supports can be provided through a dedicated home support service or the generic home health service. They can be an alternative to residential care where support for the individuals in daily living can avoid the need for a full-time residential service. I assure the House that I will do everything in my power to ensure these services will be protected and I hope increased over time in order that more individuals can be supported.

On the specific case raised by the Deputy, the HSE endeavours to use the funding and hours available in the most effective ways possible. The Government's ongoing priority is to safeguard vulnerable people in the care of the health service. We are spending €1.9 billion on disability services in 2019, which represents an increase of 7.5%. I recently announced an extra €10 million in funding for respite care houses throughout the country. Some ten new houses have been completed to date and another two will be completed in the next couple of months. One of the first things the Government did after being formed was to restore the carer's grant of €1,700 per family to 101,000 families.

There are issues we have to resolve and I give a commitment that I will follow up on the case highlighted by the Deputy.

Hospital Facilities

Deputy Éamon Ó Cuív: Ó 2011 níl ach ceann de na seomraí obráide i bPáirc Mhuirlinne ag obair agus tá scuaine mhór daoine ag fanacht anois ar chóir leighis agus níl tada á dhéanamh faoi ach geallúintí folmha nach bhfuil á gcomhlíonadh. Tá sé in am ag an HSE agus ag an Aire a dhéanamh cinnte de go bhfuil na saoráidí seo ar fáil i nGaillimh. Tá iontas orm nach bhfuil siad ar fáil i nGaillimh.

There is an extraordinary situation in Galway where some 2,000 patients in need of an orthopaedic operation who have been seen by a consultant are awaiting the procedure. It is the worst backlog I have ever seen in my time in politics and happening because there is a problem with the roof at Merlin Park hospital. Instead of having two operating theatres, only one is operable. There was supposed to be a quick solution, including the provision of temporary buildings. Therefore, I find it difficult to understand why the building has not been repaired by now. In the meantime, the roof of the operating theatre in Merlin Park cannot be fixed to allow operations to take place. A temporary modular building cannot be put in as promised to allow operations to take place. The patients do not care how it is done. They just want it done.

Many years ago when I was selling fencing stakes, I once ran out of them. Somebody rang me looking for fencing stakes. When I started giving excuses, they said something to me that has stuck in my mind since. They said: “Éamon, I’m not looking for excuses. I’m looking for fencing stakes.” The people in Galway are looking for orthopaedic procedures, not excuses. Some 2,000 people are in pain waiting for services such as hip and knee procedures, injections that have to be done in an operating theatre, operations on backs etc. They want to know when they will be put out of their pain and misery and have the service provided.

The past eight years have been characterised by more reports, more investigations and more procedures except for the procedures that are not being done, namely, the actual operations. We have had every other kind of procedure to prevent from happening the procedures we need to happen - those operations on patients that need to be done to take them out of their misery and let them get on with their lives. As the Minister of State knows, people waiting in pain often take a large number of painkillers etc. which can have its own effect on the body.

I hope the Minister of State has good news for me and a firm date for when we will start tackling these waiting lists, ensuring that the people of Galway and the west in general have a very basic service.

Deputy Finian McGrath: Ar dtús, gabhaim buíochas leis an Teachta as ucht an t-ábhar seo a ardú agus tá orainn go léir obair a dhéanamh ar son muintir na Gaillimhe. I thank the Deputy for raising this very important issue. Of course, he has to be given a very detailed and considered response.

Galway University Hospitals, GUH, comprises University Hospital Galway, UHG, and Merlin Park University Hospital, both managed by the Saolta University Health Care Group. Merlin Park University Hospital provides elective medical and surgical orthopaedic and minor surgery services, renal services, including a haemodialysis unit, two designated rehabilitation units, and a number of specialist outpatient clinics.

As the Deputy is aware, in September 2017, leaks developed in the roof of a building in the Merlin Park hospital campus that housed the hospital’s two orthopaedic theatres. To ensure a continuation of the orthopaedic service and with the support of Merlin Park staff, the hospital facilitated the transfer of elective sessions to University Hospital Galway, UHG. In addition, some minor procedures were undertaken in hospital 1 Merlin Park. In March 2018, remedial work facilitated the reopening of one of the two theatres at Merlin Park to restore service.

To bring the services back up to full capacity, a tender process was undertaken to provide two modular theatres and a successful vendor was selected for the project. Contracts were exchanged and were under discussion between both parties and a planning application was sub-

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mitted in December 2018. However, the HSE has advised that, unfortunately, contracts could not be executed, and after discussion with legal advisers, the decision was taken to terminate this procurement. The HSE is working on a revised procurement strategy to restore full capacity at Merlin Park.

It is important that patients are aware that services have continued to be provided at Merlin Park since the initial problem arose. In the 12 months to the end of September 2018, more than 2,300 patients had orthopaedic procedures at Merlin Park. Every week, an additional ten theatre sessions are completed, treating 44 cases on average.

To address the waiting list issues immediately, the hospital is working to optimise current capacity to treat patients. The Government is committed to providing timely access to treatment for patients and has further increased investment in tackling waiting lists, with funding to the National Treatment Purchase Fund, NTPF, increasing from €55 million in 2018 to €75 million this year.

The recently published Department of Health-HSE-NTPF scheduled care access plan for 2019 sets out measures to improve care for patients waiting for scheduled care in 2019 by reducing waiting times for inpatient and day case treatment and outpatient appointments. The plan will again this year place a strong focus on high-volume procedures, including orthopaedics. When combined with HSE activity, it is projected that the NTPF will be in a position to offer treatment to all clinically suitable patients waiting more than six months for hip or knee replacements. The NTPF will deliver additional activity in the health service by working with hospital groups and individual hospitals as well as private healthcare providers to maximise the number of patients treated in both a public and private capacity. I strongly encourage all hospitals, including Galway University Hospital, to collaborate with the NTPF to identify waiting list initiatives.

Deputy Éamon Ó Cuív: It is extraordinary that in September 2017 there was a problem with the roof and it will not be solved by September 2019. Having gone halfway down the road like so many processes, they all seem to run into legal, procurement or other problems. We are meant to have a dedicated national procurement process. It seems to me that in the old days when we could just procure stuff, we could get the jobs done. The Minister of State said they are working on a revised procurement strategy. In other words they are on the never-never. When does the Minister of State think we will have two theatres operational in Galway again? How long will this new process take until we actually have theatres fitted out and operational? He might throw in an answer as to why the roof could not just have been mended. It must be some roof.

How many people from Galway have had to avail of EU treaty rights and leave the jurisdiction to get basic services because they could not wait any longer? The Minister of State has said that nobody will have to wait more than six months. When will that actually happen? How many people are projected then to be on the waiting list rather than the 2,000 on the waiting list at the moment? We need specific answers and we need to know the facts.

At the end of the day, as I said in the beginning, people do not want excuses or explanations. They want operations carried out. For some, if they have access to money, the EU treaty rights provide some escape valve. It is ridiculous that we have to send people out of our country for basic services, but we have to because of the incompetence of the Government. For those without ready cash, that is not even a way out.

Deputy Finian McGrath: I again thank the Deputy for raising the matter. Of course, I accept the points he raised, including certain detailed questions that need responses. The HSE advises me that it is in the process of appointing a procurement strategy design team to develop the new procurement strategy. The HSE advises me that the planning application has been lodged and a request for further information has been received. As part of removing the contractor from the previous process, this request for further information will need to be responded to. These are the reasons for the delay.

I reassure the Deputy that the Government is committed to reducing waiting times for patients and improving access to care. The Department of Health is working with the HSE and the Saolta group to restore the full orthopaedic hospital at Merlin Park as soon as possible. On the individual issues the Deputy raised, I will bring his concerns back to the Minister, Deputy Harris, and we will respond accordingly.

Deputy Éamon Ó Cuív: Will the Minister of State get me a specific answer to a specific question since he has not been briefed on them?

Local Authority Boundaries

Deputy Seamus Healy: Clonmel is the largest town in Tipperary. It is the county town and has a population of more than 17,000 people or 11% of the population of the county. The last Fine Gael-Labour Party Government that was in office from 2011 to 2016 significantly damaged Clonmel. It abolished Clonmel Borough Council; it closed the 50-bed St. Michael's psychiatric unit in South Tipperary General Hospital; it closed Kickham Barracks, a military establishment in Clonmel since 1650, with the loss of 150 jobs and approximately €10 million that was spent annually; and it transferred the headquarters of the vocational education committee from Clonmel.

The Minister of State's recent decision regarding the municipal district of Clonmel and Cahir has made matters worse. Far from restoring the borough council, it makes Clonmel the second smallest municipal district in the county. It significantly reduces funding to the town and it reduces staffing. As the district manager told the Minister of State recently at a meeting in the town hall in Clonmel, a practical example of this was where it had been proposed that the current scheme for the centre of the town enhancement programme in O'Connell Street, Gladstone Street and Irishtown was to be done over a five-year period, it will now take ten years. The Minister of State's decision has also undermined local democracy further. It removes Cahir, which is in the hinterland of Clonmel and has always been associated with Clonmel, from the municipal district. I ask the Minister of State to reverse that decision and to be fair to Clonmel and the local area.

Deputy Mattie McGrath: I thank the Ceann Comhairle for the opportunity to raise this Topical Issue matter and for his forbearance. This is an example of a smash and grab. We had an independent review, the findings of which we all accepted. Tipperary County Council and others made their submissions to it and we accepted it. This is going back to the Tullymandering days of the heavy gang in the 1973-77 coalition. Fine Gael paid the price for that.

This is an outright attack on Clonmel and Cahir. As Deputy Healy said, Clonmel, our county town, has been destroyed. As I have said, we kept Cromwell out of it but we could not keep the then Minister, Phil Hogan, out of it when he destroyed our borough council, which

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we had for centuries and in which we had great pride. We had €15.1 million of a fund in those days. We have only pennies now, crumbs from the table in Nenagh, which is a secondary town and it was always was, and I have nothing against the people of Nenagh. With respect to the county manager and his three-man team, Mr. McEvoy agreed to the amalgamation with respect to roads, planning and finance in terms of Nenagh and left Clonmel with precious little.

Putting Cahir in with Tipperary and Cashel is a travesty and an injustice. There is not even a road, or a hiking path, over the Galtee Mountains to get from Skeheenaranky or Burncourt, or Araglin or indeed Clogheen to Tipperary Town. One has to go into County Cork, into County Limerick and back to Tipperary or else go back into Cahir or Bansha. It is unjust. Who gives the Minister of State the right to do this? The Minister, Deputy Eoghan Murphy, stood up here and said that the boundary commission did not do its job correctly and that they were going to add to it. That is outright Fine Gael arrogance; arrogance of the highest order. Its members think they can do what they like with the people but the people will have the final say and they are waiting for them in the long grass.

This is unworkable. They did not include the Tipperary name in the district. The Minister of State apologised for that, and he said something about getting married. I wish him and his wife well in their marriage but this is disgraceful. They omitted to include the brand name of Tipperary. What kind of officials were they who would think of the name of a district without including the name of Tipperary, which is recognised all over the world? I know the Minister of State represents Kilkenny, as did the then Minister, Phil Hogan, big Phil the enforcer, as I like to call him, but this coming from the Minister of State was outrageous. We kept Cromwell out but we cannot keep his interference out of Clonmel and Cahir, destroying the area and forcing us into an area that is unworkable, too distant from us, and this also resulting in a loss of money to the area.

An Ceann Comhairle: The Minister of State should remember his wedding when replying.

Minister of State at the Department of Housing, Planning and Local Government (Deputy John Paul Phelan): I will.

Deputy Mattie McGrath: I wish you well.

Deputy John Paul Phelan: I thank the Deputies for raising this issue. Changes to local electoral areas may only be carried out following the completion of a review, by an independent boundary committee, established under section 28 of the Local Government Act 1991. The Act states that the Minister must have regard to the report of a boundary committee before deciding on whether to make an order amending local electoral areas. The terms of reference for a boundary committee are set by the Minister.

A municipal district is an administrative sub-division of a local authority, as designated by ministerial order, and is therefore separate and distinct, although obviously linked to local electoral areas.

Local authority members and the Association of Irish Local Government had raised concerns regarding a number of issues in respect of local electoral areas. A concern was raised regarding the need to ensure large urban centres were adequately represented. I established two independent local electoral area committees, committees Nos. 1 and 2 in December 2017, to review and make recommendations on local electoral areas. In response to the concerns raised, I specifically asked the committees to have regard to, among other things, the need to ensure

adequate representation for large urban centres.

The recommendations in the local electoral area boundary committee reports in respect of electoral boundaries were accepted in full. Alas, Deputy Mattie McGrath was around during the era of the Tullyminder, which he mentioned.

Deputy Mattie McGrath: I was around.

Deputy John Paul Phelan: Boundaries for electoral purposes were accepted in full in Tipperary and everywhere else. The issue of municipal district boundaries was not one that committees were asked to adjudicate upon but one of the committees chose to do so, in spite of the fact that one of the distinct terms of reference was that each of the five former boroughs would have its own separate municipal district. I reiterate that the boundary committee reports, in terms of local electoral area boundaries, were accepted in full. I signed the statutory instruments on 19 December. I was married on 21 December, as Deputy McGrath pointed out.

The overall policy objectives, particularly regarding large urban electoral areas with populations in excess of 15,000, were largely met but were not in the case of several of the former boroughs.

In considering how best to configure the municipal districts in Tipperary and in order to ensure that Clonmel is adequately represented, I designated a distinct municipal district entitled “Borough District of Clonmel”. The local electoral areas of Cahir and Cashel-Tipperary were aligned in a single municipal district. I visited Clonmel and Tipperary town recently to discuss the municipal districts with local members. We will certainly in the next week or so be changing the name of Cahir-Cashel-Tipperary municipal district to include the name Tipperary.

Deputy Mattie McGrath: How could you have left it out?

Deputy John Paul Phelan: More generally, the case for the replacement of the out-of-date town authority regime with a new model of municipal governance under the Local Government Reform Act 2014 was and remains very strong. Local government has been strengthened within counties and inefficient administration and duplication between town and county authorities, regarding matters such as budgeting, planning, rating and charges, have been dealt with. The fundamental democratic deficit that existed in the old system where certain citizens got two votes and others got one has been removed. There is now full integration of local authority resources across each county and an elimination of duplication both in administrative and electoral terms.

Citizens who live in large and growing population centres and rural areas, who previously lacked any sub-county representative governance, now have municipal districts representing and responding to their local needs and I am satisfied with the operation of those arrangements.

Deputy Seamus Healy: The situation is obvious. Decisions the Minister of State has taken have damaged and further damage Clonmel and Cahir and they continue the serious damage done to the town of Clonmel during the term of the previous Government. The decisions that have been taken are unbalanced. The moving of Cahir to Tipperary and Cashel in this respect is completely without justification. There is no connection between the two areas. Cahir was always related to Clonmel. The only adequate way to represent towns is to re-establish boroughs and town councils, and the Minister of State should do that immediately.

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Deputy Mattie McGrath: I wish the Minister of State well. He definitely took his eye off the ball, as did his officials who designed this new area, including Tipperary, Cashel and Cahir, and they left out the name of Tipperary. They should not be getting paid by any Department because of such a disconnection with respect to the brand name of Tipperary, which we can market around the county. This is an outright attack, nothing short of it, a Fine Gael attack. The Minister of State came to Clonmel, we met him and he saw the resistance there. Tipperary County Council voted overwhelmingly to oppose this at its most recent meeting. When the Minister of State went on to Tipperary he got a lovely gift - I hope it was Tipperary crystal - from his Fine Gael colleague, Councillor Michael Fitzgerald, the cathaoirleach. That was nothing short of a bribe.

An Ceann Comhairle: Deputy-----

Deputy Mattie McGrath: I do not mean a bribe.

An Ceann Comhairle: The Deputy does not mean that.

Deputy Mattie McGrath: No, I do not mean a bribe but it was a nice little jolly present. Perhaps it was for the wedding, and perhaps I am wrong. Nonetheless, it is not a laughing matter. This has done untold damage to the town of Clonmel, a proud town with a proud history. As I said, we kept Cromwell out of it but we cannot keep Fine Gael from destroying it - the Army barracks, St Michael's hospital and the VEC, not to mention the loss of services to the county council.

An Ceann Comhairle: Thank you, Deputy.

Deputy Mattie McGrath: Has the Minister of State given any consideration to the staff of the county council, such as the outdoor staff and the engineering staff who have to try to manage this but who will not be able to manage it, as well as the loss of revenue to Clonmel due to the roles that will go from Cahir to Tipperary? He has given none.

Deputy John Paul Phelan: On the issue of Clonmel being attached to Cahir, in my time in local government, Clonmel and Cahir were always two separate districts. I understand and I fully accept the geographical issue that there are difficulties in getting from Cahir to Cashel because of natural boundaries that exist in that part of the world.

Deputy Mattie McGrath: Of course there are; the Galtee Mountains.

Deputy John Paul Phelan: However, with regard to the understanding from Deputy Healy that there has always been a connection, there has not been. The connection was established in the last review, which put Cahir and Clonmel into the same district.

Deputy Mattie McGrath: There was a connection.

An Ceann Comhairle: Please allow the Minister of State to respond.

Deputy John Paul Phelan: It was up to Tipperary County Council to read the terms of reference and make a submission accordingly. I completely refute the accusation made. In fact, it was at the behest of local authority members, as well as some Members of this House, that the former borough towns would have a separate municipal district with a view to giving them extra status. The idea that this reduces the status of Clonmel-----

Deputy Mattie McGrath: What about the money?

Deputy John Paul Phelan: I am only answering the question. The idea that this reduces the status of Clonmel-----

Deputy Mattie McGrath: It does.

An Ceann Comhairle: Please, Deputy.

Deputy John Paul Phelan: -----bears no resemblance to the truth.

Deputy McGrath asked who or what gives me the right. The designation of municipal districts is a ministerial function, not a function of any electoral boundary review because municipal districts are not electoral boundaries of themselves but are administrative boundaries. I want to state to the people of Clonmel there will be no loss of funding to the citizen.

Deputy Mattie McGrath: There is.

Deputy John Paul Phelan: There is not. It is a dishonest argument of the two Deputies. It is completely dishonest to suggest that the money that is allocated for Cahir is somehow money for Clonmel when it is not. The central funding will not be adversely affected for Clonmel. It will receive the same, if not increased, funding into the future as under the Local Government Fund.

Deputy Mattie McGrath: The Minister of State does not understand it.

Deputy John Paul Phelan: That is the truth.

Deputy Seamus Healy: It is reducing it.

Deputy John Paul Phelan: Both Deputies are making some valid points but there is a central dishonesty if they believe this is going to reduce because it is not going to reduce.

Deputy Seamus Healy: It is Fine Gael dishonesty.

Deputy John Paul Phelan: It is going to place extra emphasis on having a separate and distinct municipal district for Clonmel.

An Ceann Comhairle: At least it is good that we could finish Topical Issues in such an animated fashion. I wonder if the Aircraft Noise (Dublin Airport) Regulation Bill 2018 will excite as much energy.

Aircraft Noise (Dublin Airport) Regulation Bill 2018: Report Stage (Resumed)

Debate resumed on amendment No. 51:

In page 11, to delete lines 41 and 42, and in page 12, to delete lines 1 to 15 and substitute the following:

“(10) (a) The competent authority may, for the purposes of an assessment of the noise situation at the airport, by notice in writing direct the airport authority to carry out such assessments and give to it such information or plans arising from such assessments,

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or to give to it such other information or plans, or both, as specified in the notice, as the competent authority may reasonably require for those purposes.

(b) The airport authority shall comply with a direction given to it under *paragraph (a)* as soon as is practicable after it receives the notice concerned referred to in that paragraph.”.

(Minister for Transport, Tourism and Sport)

An Ceann Comhairle: Amendments Nos. 51, 52 and 90 to 92, inclusive, are related and may be discussed together. Amendment No. 52 is a physical alternative to amendment No. 51. Amendments Nos. 90 and 92 are consequential. Deputy Darragh O’Brien was in possession.

Deputy Darragh O’Brien: We had a detailed discussion on this element. I was looking back at the record of the debate, which we concluded on 21 February last. This was around something myself and Deputy Clare Daly had discussed on Committee Stage with the Minister, which was effectively that, should an individual make a complaint, that complaint would be responded to in writing. We were not asking that every single complaint be investigated thoroughly or anything like it but, as Deputy Clare Daly will agree, simply that a complaint would be responded to. I want to correct the record because I did not mean what I said then to come out like it did, in that I had said that complaints were not being dealt with effectively by the DAA, when that was a charge some people were making. There is now an opportunity, given there will be an independent competent authority, for this level of independence to be there. What this is really about is ensuring that we are not watering down this amendment, which we had agreed in principle on Committee Stage. The Minister had indicated on Committee Stage that this is something he would accept but his own amendment flies in the face of that. I had outlined my view clearly on 21 February, as had Deputy Daly.

Minister for Transport, Tourism and Sport (Deputy Shane Ross): I have provided here a formal avenue of complaint by which a person can have some avenue to be heard. I believe this meets the intention of Deputy Clare Daly’s amendment. In the first instance, under amendment No. 51, it will be a matter solely for the noise regulator to consider if there are grounds to review a noise assessment where circumstances may have changed. It also gives power for the regulator to direct the airport authority to provide it with any necessary information it requires to undertake such an assessment. Under amendment No. 91, any person can make a complaint to the regulator and ask it to review the effectiveness of noise mitigation measures in place. This provides for a mechanism by which a person with a genuine complaint has somewhere to go and be heard. Amendments Nos. 90 and 92 are consequential on amendment No. 91. In summary, only the regulator can consider whether there is good reason to open up a regulatory decision in between the five-year regulatory cycle but any person can complain to the regulator at any point and request an investigation into non-compliance with a regulatory decision.

I did not propose to mandate the regulator in primary legislation to respond in writing to every single request on the reasonable expectation that Fingal County Council would engage with people in accordance with its own existing citizens charter. Fingal County Council’s citizens charter, which is available on its website, sets out the quality of service that can be expected from Fingal County Council across all of its functions, including the availability of information, timeliness, complaints procedures and redress. Primary legislation is not typically the place for setting out detailed administrative procedures such as this. However, in response to what

has been said on this issue and in the interests of transparency, I hear what has been said about requiring the noise regulator to write back to people who make complaints. In response to the genuine concerns of Deputies Troy, Clare Daly and Darragh O'Brien, I am prepared to bring an amendment forward to the Seanad on this.

Deputy Clare Daly: I do not know why the Minister could not have said that in the first part of his response but that is what we were looking for. We had an agreement with the officials in the discussions between Committee Stage and this debate. We recognise that the Minister was attempting to address a gap whereby a person could not contact the competent authority but, in doing that, he left out the bit about getting an explanation in writing. To repeat, we were not insisting on that in every scenario but just that it would be acknowledged in that way. Given that it is a matter of record that the Minister will put this forward in the Seanad, on that basis, I am happy to withdraw my amendment.

Deputy Thomas P. Broughan: On amendment No. 91, will noise impact maps be produced by Fingal County Council, as well as by the DAA? Will the other local authorities in Dublin, and possibly in Meath and Kildare, have the capacity to also have a noise impact map upon which they could evaluate what they might feel are complaints from people who live in those local authorities?

Deputy Brendan Ryan: On amendment No. 91 in the name of the Minister, section (3)(a) states: "The airport authority, or a person upon whom there is a noise impact ... may ... request the competent authority to review the effectiveness of the noise mitigation measures".

However, in section 3(b), the amendment provides that the competent authority "may, at its discretion, comply" with such a request. Therefore, the competent authority may also choose to ignore such a request. One would then wonder what is the purpose of the amendment at all. I am seriously concerned about amendment No. 91 on that basis.

An Ceann Comhairle: Does any other Member wish to contribute before I call the Minister for a final response?

Deputy Shane Ross: The competent authority will respond to all requests. That is our intention. We will bring an amendment to the Seanad to endorse and underline that. In response to Deputy Broughan, it will be a matter for the regulator to determine what noise maps are appropriate. Obviously, the potential noise implications might extend beyond Fingal. The regulator will determine that and we are dependent on the regulator being reasonable and objective. It will be up to the regulator to determine what to accept.

An Ceann Comhairle: I thank the Minister. The question now is-----

Deputy Brendan Ryan: Could I come back on that point please?

An Ceann Comhairle: Yes, but the Minister cannot answer any more because-----

Deputy Brendan Ryan: The Minister's reply to me suggests that following a request for information, the competent authority will have to respond. The point I am making, however, is that the person on whom there is a noise impact may request a review but paragraph (b) says that the competent authority "may, at its discretion" comply or, read another way, choose to ignore a request for a review. I am not just talking about a request for information but an actual review of the noise impact of the mitigation measures.

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An Ceann Comhairle: Is amendment No. 51, in the name of the Minister, agreed?

Deputy Clare Daly: Is the Minister not going to respond to that? My understanding is that this is linked to other points related to appeals in these scenarios. The Minister should really clarify the position because-----

An Ceann Comhairle: Okay. I will ask the Minister to clarify on this occasion but let us be clear about the rules. The Minister may speak three times on an amendment that he has brought. The Minister has already spoken three times so we are breaching our own procedures now. However, to be of help to Members, which I will not be again, I will ask the Minister to respond briefly.

Deputy Shane Ross: I think I have responded already. It is up to the competent authority to determine its response but there is now a procedure in place for complaints to be made. We will be introducing an amendment in the Seanad to provide that all complaints will get a written response.

An Ceann Comhairle: That will then come back to us in this House.

Deputy Shane Ross: Yes.

An Ceann Comhairle: All right. Is everyone happy with that?

Deputy Brendan Ryan: No. A complaint is not a request for a review. They are two different issues.

An Ceann Comhairle: Yes, but the Minister has made his point. The Deputy can oppose the amendment on that basis but the Minister has indicated that he will bring an amendment to the Seanad. If he does so and if that amendment is passed, then the matter will come back here before us.

Amendment agreed to.

An Ceann Comhairle: As a consequence of the acceptance of amendment No. 51, amendment No. 52 cannot be moved as it is a direct alternative.

Amendment No. 52 not moved.

Deputy Imelda Munster: I move amendment No. 53:

In page 12, between lines 29 and 30, to insert the following:

“(f) an assessment of the impact of the decision on the well-being and health of local residents;”.

Amendment agreed to.

Deputy Shane Ross: I move amendment No. 54:

In page 13, line 39, after “authority” to insert the following:

“, the elected members of FCC, the elected members of Dáil Éireann in whose constituencies the airport is located”.

Amendment agreed to.

An Ceann Comhairle: Amendments Nos. 55 to 58, inclusive, 62 to 65, inclusive, 68 to 71, inclusive, 74 to 77, inclusive, and 80 to 83, inclusive, are related and may be discussed together.

Deputy Clare Daly: I move amendment No. 55:

In page 14, line 25, to delete “defer” and substitute “authorise”.

Always when there is a gap between sessions, it takes a while to get back into the issues and refresh the memory as to where we are in the process. It is my understanding that all of these amendments relate to the issues of phraseology, language and intent. In various parts of the legislation reference is made to the competent authority or the appeals body deciding that a noise mitigation measure should be put in place. Such a measure is something that is of benefit to the community and it has been decided that it will be implemented. This amendment, along with others in the grouping, refers to the language around instances where such a decision may not be implemented. In essence, what the Bill says in various places is that the competent authority can “defer” the introduction of positive noise mitigation measures for a period of time. We discussed this issue on Committee Stage. There is obviously a certain logic around that because in some instances the measure simply cannot be implemented straight away. We understand that but what we are trying to do by changing the language is to have a much more positive approach. My amendments provide that the assumption should be that the noise mitigation measure is moved to be implemented immediately. Instead of the term “defer”, which is a negative word that means to delay or put off, I provide that the competent authority can “authorise”, for reasons contained in the notice, a lead-in time for the coming into force of a noise mitigation measure. In essence, what I am doing in all of these amendments is taking out “defer”, which allows a certain laxity which is not helpful, and replacing it with “authorise”, providing that the competent authority or the appeals body can authorise a lead-in time. By doing that, the onus is on the DAA or whatever body is required to implement the noise mitigation measure to start straight away. If the mitigation measure means that a building must be built, we realise that it will not be completed straight away but we want it to be started straight away. The language is very important here. The aim is to get away from the possibility of laxity which allows an out or a delay.

We must bear in mind that every delay has a punitive effect on the residents living nearby who have to put up with noise which has been deemed to be unacceptable by either the competent authority or the appeals body. A decision has been made that something must be put in place to mitigate the noise, and what I am trying to do here is to make sure that the legislation cannot be exploited by an authority that wants to wriggle out of its responsibility. The language is balanced in the sense of being practical. We are not being ridiculous and saying that the mitigation measures must be implemented overnight. We understand that some measures can take time, but the assumption must be that the implementation should start straight away, even if it takes some time to conclude. My language is far better than that used in the Bill currently and I urge Members to endorse this group of amendments.

Deputy Darragh O’Brien: We discussed this in some detail on Committee Stage. I agree with Deputy Clare Daly that the assumption must be positive. These amendments are based on striving for a balanced approach. We want to take into account the genuine concerns of residents while the airport develops and while we protect, enhance and grow jobs and livelihoods. As discussed previously, we are not saying that measures must be implemented immediately, al-

though if they can be, they should. If mitigation measures require substantial works on campus, for example, the competent authority can authorise such works and determine that they must be completed within a certain period. Of course, some degree of flexibility would be allowed, as with the planning process generally, so that if something could not be completed, the relevant authority could come back and apply for a further extension. The legislation as it is written at the moment means that the competent authority could decide to defer the works, and in that way positive changes could be left in abeyance. The changes to the Bill are minor. We are all on the same page with regard to what we want the competent authority to do in terms of making sure that mitigation measures deemed necessary cannot just be deferred. This slight change in language makes a lot of sense. It makes the Bill more positive and more focused on balancing the needs of residents and neighbouring communities with the needs of the airport.

Deputy Joan Burton: Residents in the Dublin 15 area are increasingly perplexed by the Minister's approach to the Bill. Essentially, we have a growing Dublin Airport and we want to see good jobs, good employment and the development of the airport. The airport, however, is more and more looking to run very early morning flights right into the middle of the day. Housing is developing in many different areas of Dublin 15 under flight paths or extremely close to flight paths. Although they are aware that Dublin Airport is very close, people are concerned that when they finally get to buy their houses - which can be very expensive - there will be no indication and no information available as to when flight paths change. I am contacted regularly by people who find that there are more flights flying closer to their houses.

From other European cities we are aware of fantastic technical advances that have been made, and some technical advances have been made at Dublin Airport over the decades, such as changes to aircraft technology to reduce noise levels and running flights in a particular way to mitigate the noise. This is well known with regard to busy airports around the world but some airports are better at this than others.

We should strengthen the Bill in a way that will increase the right of householders to not be completely overcome by noise levels just because the regulation is weak. When people currently complain to Dublin Airport, often all they get is an invitation to meet with somebody, but this does not go anywhere and their concerns are not addressed. This is very important, especially as the Minister has chosen the council to be the regulator. We have discussed this matter previously. We all know the airport is part of the council's remit and part of the council's bread and butter. We are looking at regulation by an entity that has a vested interest in the development of the airport. This is publicly known. It is part of the council's job to ensure the airport develops appropriately.

We want a clear indication in the language of the legislation to address people's concerns, particularly those people moving into new or existing houses in areas such as Hollystown, Hollywoodrath, Blackwood or Ongar where people are increasingly complaining about aircraft noise and have no proper channel by which to have their complaints addressed. It does not seem this will happen in the legislation as currently proposed. We support the change of wording proposed by amendment No. 55 to "authorise", which is stronger language. The amendment is to even out the scales between the people who live in the vicinity of the airport who are subject to the noise, and Dublin Airport and the Dublin Airport Authority, DAA, in their conducting of the business of operating flights. It is also to ensure that when something happens or goes wrong, people have a genuine remedy they can access and pursue. After the debate on this Bill, people's confidence in the quality of the regulation system nose-dived rather than improved.

Deputy Brendan Ryan: I too support Deputy Clare Daly's amendments. The proposed wording changes such as "authorise a lead in time for" as opposed to "defer" the coming into effect of the operating restrictions, is far stronger language. Given that the Minister, Deputy Ross, has already indicated he will bring forward amendments in the Seanad, I ask that he agrees to these amendments or that he addresses the important issues in his amendments.

Deputy Thomas P. Broughan: I support these important amendments brought forward by Deputy Clare Daly around mitigation plans. It has been a while since we have had a chance to discuss the Bill. I have taken another look at the European noise directive and the 2006 regulations. It is striking that the regulations appointed the Environmental Protection Agency to be the national authority for all noise. One of the fundamental problems with the Bill is that we do not have any information about noise levels. What are the kinds of levels on the noise maps which circulate out from the airport itself? This whole area is at the heart of what we are discussing. There is a later amendment from Deputy Clare Daly that is precisely on that point. I believe we will have to come back to this legislation again in another Dáil as it is fundamentally misguided.

I note that some of our journalist colleagues have reported - through a freedom of information request - in *TheJournal.ie* online newspaper on memoranda given to the Minister from his officials describing concerns about appointing Fingal County Council as the noise regulator. The council itself had a fundamental concern that it should not be designated as the noise regulator for the airport because of the massive conflict of interest, of which we are all aware. The memoranda from the officials to the Minister gave the Minister the lines of attack Deputies on this side of the House would launch in relation to the conflict of interest.

The Bill proposes legislation that is not sustainable for the longer term. There are those of us who want sustainable development of the airport region, of Fingal and of north Dublin and we want to ensure residents have peace. It is astonishing that no noise levels are indicated and that the Minister is picking a regulator that is conflicted. It is also astonishing that colleagues have to come to this House to table a series of amendments to ensure the regulator will take a proactive role in responding to concerns about noise levels.

Deputy Robert Troy: Fianna Fáil supports this amendment. This issue was discussed at length on Committee Stage. Deputy Clare Daly has pointed out the principle that in certain instances there will be noise mitigation measures that, given the complexity and the lead-in time for construction, will take time. It is to allow - in those instances where there is a short or a long lead-in time - a period of time to acknowledge that. In certain other instances, however, there are noise mitigation measures that could be done straight away. For example, restrictions at a particular time could be done fairly quickly as opposed to building a large embankment that may take a number of months and might need separate planning permission to carry out the works. To be fair, on Committee Stage the Minister agreed in principle with our proposal and with what we are trying to achieve. I hope the Minister will again agree with what we are trying to achieve in strengthening the legislation as we bring it through the Oireachtas.

An Ceann Comhairle: Does any other Member wish to speak before I go to the Minister?

Deputy Shane Ross: I thank Deputies for their contributions. The differences between the two sides are not huge, or the language may or may not be as important as Deputy Daly has said. It is about how measures are rolled out and implemented. The term "defer" which the Deputy wishes to replace does not refer to putting things off on the never-never. The purpose of the use

of the term is to give the regulator the necessary flexibility to include in a regulatory decision a requirement for the immediate implementation of noise mitigation measures and to set out future measures that need to be implemented in the event that certain activity levels are reached. This is because it is possible that certain elements of a regulatory decision are triggered not on the day of the decision but at some future date or on foot of some future event. For example, some noise mitigation measures may be triggered by a certain number of aircraft movements. These sections simply allow the regulator to provide for that.

I have examined the Deputy's amendments carefully and sought further legal advice on them. I am advised that what we have provided is standard language in legal drafting and has been prepared in consultation with the Office of the Parliamentary Counsel. It is therefore more legally sound. On the other hand, the expression "a lead-in time" while well understood colloquially is not typical legal drafting language. For the same reason, the word "defer" is preferable to the word "authorise" in this context and in legal drafting. That is my legal advice. I admit that the distinction does not lend itself to the most satisfying level of public debate. I hope, however, that we can accept that there is no substantive disagreement here and that this simply is a matter of better drafting. Whatever is in the regulatory decision will have to be implemented. On the more substantive matter, the regulator may defer, under the Bill as drafted, the implementation of a noise mitigation measure by the regulated entity but must specify the date or triggering event on which the measure will come into effect and publish reasons for any such deferral. I hope this helps to clarify my reasoning in not accepting Deputy Clare Daly's amendments.

Deputy Clare Daly: Unsurprisingly, I am afraid it does not. In particular, it does not help in the context of the fact that we obviously discussed these issues on Committee Stage and I agreed then that the language I was then proposing was loose and gave rise to some of the concerns the Minister has reiterated without taking into account the change we have made to tighten it up. I do not buy the line the Minister gives because it is tempered by the second point. All of the circumstances the Minister highlighted, including the right to have a specific date or the occurrence of an event as a trigger, are still in existence. That is still in the draft as we have provided it which is what provides the legal clarity. The change of language makes it much more of an exception. In essence, if one has to authorise something, it is, obviously, an exception and the expectation is that it will be implemented as soon as possible. Deferral, however, is something like a putting off. One sees that if one looks up the definition in a dictionary. We are trying to create a happier medium between the two. The language I have put forward is preferable to that as it is much more positive endorsement. If one looks at the phrases and the parts of the Bill where some of this comes into effect, there are sections on planning decisions. If it is a planning decision, it should be a condition of the planning permission. As such, there should be no deferral at all. We are still giving the specific dates and occurrences. They are all still there. In some ways, these are technical things but they have to be rooted in what we are discussing. These are public health measures to mitigate the impact of noise on residents. We do not want a little loophole for someone to come through and delay that implementation while at the same time we do not want it to be so ludicrous as to be impractical. This form of wording is different from the form proposed on Committee Stage. It is a better balance. It is clear to me that there is no legal impediment. There would be if we had proposed taking out section 19(18) (b) but all of those things are still there. I disagree with the Minister.

Deputy Darragh O'Brien: We discussed this at length and my colleague has put forward the logic and rationale behind it. We have moved on quite a lot of this and we have taken the

Minister and the Government at their word on certain elements. We have tried to work on this in a constructive way. I grant that the Minister has accepted a number of amendments and brought forward significant changes to the Bill. However, on the amendments, the language is very important. It is particularly important because we are left with a competent authority based on the Government's advice which is in my view imperfect. However, we have to work with it. As such, we have to improve how the legislation around that operates and governs matters. It is imperative that the changes here regarding "authorised" and "lead-in time" are actually made. If there were some slight change to that or specific areas in the Bill where that caused a problem, I suggest it is open to the Government to propose any change in the Seanad. We went through this at length on Committee Stage and we have gone through it again on Report Stage. It makes eminent sense to do it. It will reinforce the balanced approach. It balances the needs of residents with the future growth of the airport.

Deputy Joan Burton: The Minister's response failed to build additional confidence in his approach to the legislation. One need only ask if he would be the flag-carrier for this legislation if it affected people over in his constituency. It is unsatisfactory because of the arrangements around the authority which is to implement the regulation. That authority is hopelessly conflicted for all the reasons we know because it is also the planning authority for the entity running the airport. As Deputy Broughan said, that is unsatisfactory. The Minister has been unable to adduce any clear evidence that Fingal County Council as regulator will be sufficiently independent to act vigorously in the interest of residents who are affected. Currently, the whole area is undergoing a significant amount of building and there are new houses coming on stream in the vicinity of all the areas around the airport. They are getting closer and closer to the flight paths but no one is clear about where exactly and how exactly they will be affected. We are not regulating noise levels in this instance, as happens in other countries. As has happened in other countries, there is a huge level of technical skill available for an authority working in conjunction with the airport itself and local residents. Given the technological developments, it is possible to make significant improvements and reductions in the noise levels. The Minister is simply going through the motions in relation to the Bill rather than taking into account that where someone is badly affected by noise, it may end up not simply disturbing that person's peace of mind, it may deprive the person of sleep and negatively affect his or her whole life. We support the amendment proposed by Deputy Clare Daly because it is fundamentally a better approach than that of the Minister.

Deputy Brendan Ryan: Deputy Darragh O'Brien said the competent authority was imperfect but that we had to work with it. The reality is that we are passing legislation with which we do not have to work.

Deputy Thomas P. Broughan: Hear, hear.

Deputy Darragh O'Brien: Labour had two years to do something about it.

Deputy Brendan Ryan: We do not have to work with it and we would not have to work with it if Fianna Fáil had not abstained at key moments. We had a key vote which the Government won by three or four votes and Fianna Fáil sat it out.

Deputy Robert Troy: Not all of Labour's seven Members were here.

An Ceann Comhairle: Please, Members.

Deputy Darragh O'Brien: We have worked to change this Bill, unlike Deputy Ryan. We

sat through the committee also.

Deputy Brendan Ryan: I was at the committee.

Deputy Darragh O'Brien: The Deputy had two years to do it when he was in government, but he did not bring anything forward.

Deputy Brendan Ryan: The Deputy is in government because he undertook to the Government Whip to abstain.

An Ceann Comhairle: This is the Minister's last opportunity to respond to this group of amendments.

Deputy Shane Ross: I do not believe we are far apart. It is a matter of language and language is important. As I must follow the legal advice I have received on this issue, I must oppose the amendment proposed by Deputy Clare Daly, perhaps with some regret, but that is what I must do. When I receive legal advice, it would be rash and foolish of me to defy or counter it.

I know the views of Deputies Burton and Brendan Ryan on Fingal County Council being conflicted, as we have heard them several times previously. Deputy Broughan has raised the issue again, but that battle has been fought. Deputies can raise it as often as they wish and it is probably raised with a genuine worry about any competent authority, but when they say Fingal County Council is conflicted, I remind them that the IAA was found to be conflicted. The same arbiter on this issue found that Fingal County Council was not conflicted. That is the legal advice we received and we took it. When the advice came through about the IAA, we took it very reluctantly and with a heavy heart because it was a commitment which we had believed was solid.

Deputy Thomas P. Broughan: The Minister is putting the fox in charge of the henhouse.

Deputy Shane Ross: We must take the same advice which states unequivocally that Fingal County Council is not conflicted. We accept that and are going ahead on that basis. If Members want me to defy the Attorney General's advice, they should say so. They want me to say "to hell with it" and invite every possible court challenge.

Deputy Thomas P. Broughan: The Minister has the 2006 regulations.

Deputy Shane Ross: It would be massively irresponsible to do so.

Deputy Thomas P. Broughan: The Minister could have taken the EPA option.

Deputy Clare Daly: There are many issues, some of which we will discuss. I remind the Minister that before he decided to appoint Fingal County Council - bear in mind that no other jurisdiction in Europe has done the same - the European Union wrote to him to state the key element in making the appointment was the independence of the authority. It recommended that he carefully ensure this independence beforehand because it could raise concerns at a later stage. I guarantee him that it will raise concerns.

Deputy Brendan Ryan is 100% correct. The process is under way, but the House has not yet voted on the Bill. Fingal County Council will be the competent authority if we pass the Bill and it is upheld in the Seanad. If we do not, it will not be. We are only in the middle of the process and the decision rests with Fianna Fáil.

The Minister's position on this group of amendments does not stand up to serious scrutiny and has not been substantiated. We are talking about circumstances where the competent authority or the appeals body has made a decision to introduce either noise mitigation measures or operating restrictions. All of the appeal processes are over and everybody accepts that the measure must be implemented. I am seeking to avoid any unnecessary delay. "Defer" is a negative and implies putting off. The justification the Minister gave for why he had to have what was a lead-in time, in layman's terms, was that he wanted to have a scenario where the specific date or the occurrences which would trigger it could be specified. They are all still there and my amendment does not change any of it. The only thing my amendment would change is the word "defer" to "authorise" for a lead-in time for the reasons stated in the notice. Instead of deferring the coming into effect, we would be authorising a lead-in time. All of the other justifications the Minister said the Attorney General gave him would still be in place. We have not sought to change them.

Amendment put:

<i>The Dáil divided: Tá, 54; Níl, 45; Staon, 0.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Stاون</i>
<i>Aylward, Bobby.</i>	<i>Bailey, Maria.</i>	
<i>Barry, Mick.</i>	<i>Breen, Pat.</i>	
<i>Boyd Barrett, Richard.</i>	<i>Brophy, Colm.</i>	
<i>Brady, John.</i>	<i>Bruton, Richard.</i>	
<i>Broughan, Thomas P.</i>	<i>Burke, Peter.</i>	
<i>Browne, James.</i>	<i>Byrne, Catherine.</i>	
<i>Buckley, Pat.</i>	<i>Canney, Seán.</i>	
<i>Burton, Joan.</i>	<i>Cannon, Ciarán.</i>	
<i>Butler, Mary.</i>	<i>Carey, Joe.</i>	
<i>Cahill, Jackie.</i>	<i>Corcoran Kennedy, Marcella.</i>	
<i>Calleary, Dara.</i>	<i>Coveney, Simon.</i>	
<i>Casey, Pat.</i>	<i>D'Arcy, Michael.</i>	
<i>Collins, Michael.</i>	<i>Daly, Jim.</i>	
<i>Connolly, Catherine.</i>	<i>Deering, Pat.</i>	
<i>Cullinane, David.</i>	<i>Doherty, Regina.</i>	
<i>Daly, Clare.</i>	<i>Doyle, Andrew.</i>	
<i>Doherty, Pearse.</i>	<i>Durkan, Bernard J.</i>	
<i>Dooley, Timmy.</i>	<i>English, Damien.</i>	
<i>Fitzpatrick, Peter.</i>	<i>Farrell, Alan.</i>	
<i>Funchion, Kathleen.</i>	<i>Fitzgerald, Frances.</i>	
<i>Haughey, Seán.</i>	<i>Flanagan, Charles.</i>	
<i>Healy-Rae, Michael.</i>	<i>Grealish, Noel.</i>	
<i>Healy, Seamus.</i>	<i>Harris, Simon.</i>	
<i>Howlin, Brendan.</i>	<i>Heydon, Martin.</i>	
<i>Kenny, Martin.</i>	<i>Humphreys, Heather.</i>	
<i>McGrath, Mattie.</i>	<i>Kyne, Seán.</i>	

26 March 2019

<i>Mitchell, Denise.</i>	<i>Lowry, Michael.</i>	
<i>Moynihan, Aindrias.</i>	<i>Madigan, Josepha.</i>	
<i>Moynihan, Michael.</i>	<i>McEntee, Helen.</i>	
<i>Munster, Imelda.</i>	<i>McGrath, Finian.</i>	
<i>Murphy O'Mahony, Margaret.</i>	<i>McHugh, Joe.</i>	
<i>Murphy, Catherine.</i>	<i>McLoughlin, Tony.</i>	
<i>Murphy, Paul.</i>	<i>Moran, Kevin Boxer.</i>	
<i>O'Brien, Darragh.</i>	<i>Murphy, Eoghan.</i>	
<i>O'Brien, Jonathan.</i>	<i>Naughten, Denis.</i>	
<i>O'Callaghan, Jim.</i>	<i>Naughton, Hildegarde.</i>	
<i>O'Reilly, Louise.</i>	<i>Neville, Tom.</i>	
<i>O'Sullivan, Jan.</i>	<i>Noonan, Michael.</i>	
<i>O'Sullivan, Maureen.</i>	<i>O'Connell, Kate.</i>	
<i>Ó Broin, Eoin.</i>	<i>O'Donovan, Patrick.</i>	
<i>Ó Caoláin, Caoimhghín.</i>	<i>O'Dowd, Fergus.</i>	
<i>Ó Cuív, Éamon.</i>	<i>Phelan, John Paul.</i>	
<i>Ó Laoghaire, Donnchadh.</i>	<i>Ring, Michael.</i>	
<i>Penrose, Willie.</i>	<i>Ross, Shane.</i>	
<i>Pringle, Thomas.</i>	<i>Stanton, David.</i>	
<i>Quinlivan, Maurice.</i>		
<i>Ryan, Brendan.</i>		
<i>Ryan, Eamon.</i>		
<i>Sherlock, Sean.</i>		
<i>Smith, Bríd.</i>		
<i>Smyth, Niamh.</i>		
<i>Stanley, Brian.</i>		
<i>Tóibín, Peadar.</i>		
<i>Troy, Robert.</i>		

Tellers: Tá, Deputies Clare Daly and Darragh O'Brien; Níl, Deputies Seán Kyne and Tony McLoughlin.

Amendment declared carried.

Deputy Clare Daly: I move amendment No. 56:

In page 14, line 25, after “notice,” to insert “a lead in time for”.

Amendment put and declared carried.

Deputy Clare Daly: I move amendment No. 57:

In page 15, line 3, to delete “defer” and substitute “authorise”.

Amendment put and declared carried.

Deputy Clare Daly: I move amendment No. 58:

In page 15, line 3, after “notice,” to insert “a lead in time for”.

Amendment agreed to.

Deputy Shane Ross: I move amendment No. 59:

In page 15, between lines 15 and 16, to insert the following:

“(23) In this Part, health aspects shall be assessed in accordance with the Environmental Noise Directive and the European Communities (Environmental Noise) Regulations 2018 (S.I. No. 549 of 2018).”.

Amendment agreed to.

Deputy Thomas P. Broughan: I move amendment No. 60:

In page 15, between lines 26 and 27, to insert the following:

“(24) The competent authority shall undertake a health impact study of the residents living in the vicinity of the airport every ten years and shall commence such a study within one year of enactment.”.

Amendment put and declared lost.

Deputy Shane Ross: I move amendment No. 61:

In page 19, to delete lines 24 to 29 and substitute the following:

“(10) (a) Where the Board has failed to make a decision under this section in relation to the appeal within the period it is required to do so by a provision of this section and becomes aware, whether through notification by the appellant or otherwise, that it has so failed, the Board shall nevertheless proceed to make such decision and the decision so made shall be considered to have been made under this section notwithstanding such failure.

(b) The Board shall, as soon as is practicable after it becomes aware of a failure referred to in *paragraph (a)*—

(i) give notice in writing of such failure, together with the reasons for such failure, to the appellant and the competent authority and, if the airport authority is not the appellant, the airport authority, and

(ii) publish on its website the reasons for such failure.”.

This largely technical amendment will ensure the process, as set out in the Bill following acceptance of the Committee Stage amendments, is workable in practice and will not have unintended legal consequences. Deputies may recall that on Committee Stage an amendment was passed to require An Bord Pleanála, where it had made a decision after its committee deadline for the making of that decision, to publish a written explanation as to why it was late with its decision. It is a fair and reasonable addition to the Bill and adds another dimension of transparency to the overall process. In moving the amendment I am simply bringing forward a minor rewording of the Committee Stage amendment to make it clear that the board does not have to explain the reasons for its lateness at the same time as it makes the late decision but can do

so separately. It is a relatively small point in the scheme of the Bill, but it is procedurally important because it covers a possible scenario where the board unknowingly or unintentionally makes a late decision and, therefore, does not explain at the same time why it is late with its decision. The change of wording simply provides that the reasons for any such delay in its decision can be published as soon as practicable afterwards if the board has not explained itself at the same time it makes the late decision. The scenario is highly unlikely, but we must legislate for it. The provision is important to protect the validity of the final decision and will ensure a late decision will not be invalidated simply because it is not accompanied by an explanation of the reasons for the lateness.

Amendment agreed to.

Deputy Clare Daly: I move amendment No. 62:

In page 19, line 38, to delete “defer” and substitute “authorise”.

Amendment put and declared carried.

Deputy Clare Daly: I move amendment No. 63:

In page 19, line 38, after “notice,” to insert “a lead in time for”.

Amendment put and declared carried.

Deputy Clare Daly: I move amendment No. 64:

In page 20, line 14, to delete “defer” and substitute “authorise”.

Amendment put and declared carried.

Deputy Clare Daly: I move amendment No. 65:

In page 20, line 14, after “notice,” to insert “a lead in time for”.

Amendment put and declared carried.

Deputy Clare Daly: I move amendment No. 66:

In page 23, line 15, to delete “thereof.” and substitute the following:

“ “thereof;

(d) an interested party may directly refer the application in subsection (1)(a) to the competent authority in cases where the planning authority decides no such referral is required. The competent authority will review the matter immediately and uphold or overturn the decision of the planning authority. When the decision is overturned, subsection (2) will apply.”

I might be confusing myself, given that the amendment may not be necessary. It emerged following changes made on Committee Stage. It covers a leftover aspect. My intention is to ensure the planning authority would have to refer an application to the competent authority. There was a loophole in the earlier draft of the Bill, whereby the planning authority would have had a choice in deciding whether to send an application to the competent authority. I am trying to ensure that loophole has been closed. I think it has been and, in hindsight, I probably did not

need to table the amendment, although the Minister might enlighten us in that regard.

Deputy Shane Ross: The Deputy should withdraw the amendment because the matter has been covered in a previous amendment. While I agree with the intention of the amendment, the matter has been covered. Therefore, I will not accept the amendment.

Deputy Clare Daly: Does the Minister know where it is?

Deputy Shane Ross: The Bill provides that every planning application relating to the development of Dublin Airport will go to the noise regulator for review and the regulator will make a determination as to whether the development would have such a noise impact that it warrants the need to consider the introduction of an operating restriction. Is that okay?

8 o'clock

Deputy Clare Daly: Yes.

Amendment, by leave, withdrawn.

Deputy Shane Ross: I move amendment No. 67:

In page 26, lines 41 and 42, to delete “the local authority and Dáil Éireann” and substitute “FCC, the elected members of Dáil Éireann”.

Amendment agreed to.

Deputy Clare Daly: I move amendment No. 68:

In page 28, line 7, to delete “defer” and substitute “authorise”.

Amendment put and declared carried.

Deputy Clare Daly: I move amendment No. 69:

In page 28, line 7, after “notice,” to insert “a lead in time for”.

Amendment put and declared carried.

Deputy Clare Daly: I move amendment No. 70:

In page 28, line 30, to delete “defer” and substitute “authorise”.

Amendment put and declared carried.

Deputy Clare Daly: I move amendment No. 71:

In page 28, line 30, after “notice,” to insert “a lead in time for”.

Amendment put and declared carried.

Deputy Shane Ross: I move amendment No. 72:

In page 33, line 28, to delete “subsection (13)” and substitute “subsection (14)”.

An Leas-Cheann Comhairle: We are continuing until 8.15 p.m. because of the earlier delay.

(Interruptions).

An Leas-Cheann Comhairle: Deputies, please. Parliamentary party meetings cannot be held in the House.

Deputy Richard Boyd Barrett: Quite right, Leas-Cheann Comhairle. Apologies.

An Leas-Cheann Comhairle: Accepted.

Deputy Shane Ross: This is a technical drafting amendment to correct a numerical reference.

Amendment agreed to.

Deputy Shane Ross: I move amendment No. 73:

In page 33, line 35, after “authority” to insert the following:

“, the elected members of FCC, the elected members of Dáil Éireann in whose constituencies the airport is located”.

Amendment agreed to.

Deputy Clare Daly: I move amendment No. 74:

In page 35, line 4, to delete “defer” and substitute “authorise”.

Amendment put and declared carried.

Deputy Clare Daly: I move amendment No. 75:

In page 35, line 4, after “notice,” to insert “a lead in time for”.

Amendment put and declared carried.

Deputy Clare Daly: I move amendment No. 76:

In page 35, line 27, to delete “defer” and substitute “authorise”.

Amendment put and declared carried.

Deputy Clare Daly: I move amendment No. 77:

In page 35, line 27, after “notice,” to insert “a lead in time for”.

Amendment put and declared carried.

Deputy Shane Ross: I move amendment No. 78:

In page 35, between lines 30 and 31, to insert the following:

“(22) In this Part, health aspects shall be assessed in accordance with the Environmental Noise Directive and the European Communities (Environmental Noise) Regulations 2018 (S.I. No. 549 of 2018).”.

Amendment agreed to.

Deputy Shane Ross: I move amendment No. 79:

In page 35, to delete line 31 and substitute “(23) In this section—”.

Amendment agreed to.

Deputy Clare Daly: I move amendment No. 80:

In page 40, line 22, to delete “defer” and substitute “authorise”.

Amendment put and declared carried.

Deputy Clare Daly: I move amendment No. 81:

In page 40, line 22, after “notice,” to insert “a lead in time for”.

Amendment put and declared carried.

Deputy Clare Daly: I move amendment No. 82:

In page 41, line 3, to delete “defer” and substitute “authorise”.

Amendment put and declared carried.

Deputy Clare Daly: I move amendment No. 83:

In page 41, line 3, after “notice,” to insert “a lead in time for”.

Amendment put and declared carried.

Deputy Shane Ross: I move amendment No. 84:

In page 44, to delete lines 11 to 27 and substitute the following:

“(2) Where, before the relevant day, a person has entered into consultations with the Board under section 37B of the Act of 2000 in relation to a relevant development but no notice under subsection (4)(a) of that section has been served on such person following such consultations, such consultations shall, on and after the relevant day and by virtue of this subsection, cease and, on and after the relevant day, no such notice shall be served on such person.

(3) (a) *Paragraphs (b) and (c)* apply where, before the relevant day, a notice has been served on a person under section 37B(4)(a) of the Act of 2000 in relation to a relevant development on a person but no related application has been made under section 37E of that Act.

(b) On and after the relevant day, the notice that has been served under section 37B(4)(a) of the Act of 2000 shall, by virtue of this subsection, be deemed to be withdrawn by the Board and—

(i) accordingly, the related application may not be made under section 37E of that Act or, if made, the Board shall refuse to deal with it, and

(ii) the Board shall, as soon as is practicable on or after the relevant day, give notice in writing to the person on whom such notice was served that he or she

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may not make the related application under section 37E of that Act and the reasons for that.

(c) This subsection shall not be construed as preventing the related application from being proceeded with by way of being made to the appropriate planning authority.

(4) (a) *Paragraphs (b) and (c)* apply where, before the relevant day, an application has been made under section 37E of the Act of 2000 in relation to a relevant development, but has not yet been determined by, the Board.

(b) On and after the relevant day, the notice that has been served under section 37B(4)(a) of the Act of 2000 that gave rise to the application shall, by virtue of this subsection, be deemed to be withdrawn by the Board and—

(i) accordingly, the Board shall refuse to further deal with the application,

(ii) the Board shall return the application to the person who made it together with any fee that accompanied the application, and

(iii) the Board shall, as soon as is practicable on or after the relevant day, give notice in writing to the person who made the application, and any other person who has made submissions or observations on the application, that the Board will no longer deal with the application and the reasons for that.

(c) This subsection shall not be construed as preventing the application from being proceeded with by way of being made to the appropriate planning authority.

(5) Sections 146B and 146C of the Act of 2000 shall, on and after the relevant day, cease to apply to a decision of the Board to grant permission under section 37G of that Act to a relevant development.

(6) In this section—

“planning authority” means a local authority within the meaning of section 2 of the Act of 2001;

“relevant day” means the day on which *subsection (1)* comes into operation;

“relevant development” means the development deleted, by *subsection (1)*, from paragraph 2 of the Seventh Schedule to the Act of 2000.”.

This amendment stems from a change made to section 11 on Committee Stage on foot of consultations with Deputies. That change ensured that every planning application for development of the airport would be assessed by the noise regulator - not the planning authority - in order to determine the likely noise impacts and decide whether there would be a requirement to carry out the Regulation 598/2014 process. Amendment No. 84 makes sure that any planning application relating to Dublin Airport that is currently with An Bord Pleanála under the accelerated strategic infrastructure development process which has not yet been decided is brought back to the start to ensure that the noise regulator gets to make an initial assessment of it. This means that, on enactment of the Bill, any applications that have not been decided under the said process will now be returned to the applicant with the applicant’s fee. If the applicant wishes

to proceed with the proposal, it must make a new application directly to the planning authority which will then be examined by the noise regulator for any potential noise implications as set out under section 11.

Amendment agreed to.

Deputy Clare Daly: I move amendment No. 85:

In page 44, after line 37, to insert the following:

“(2) The competent authority shall direct the airport authority to ensure that average noise exposure is reduced below 45dBL, and night noise exposure below 40dBL, such levels to be revised in accordance with WHO guidelines.”.

An Leas-Cheann Comhairle: Amendment No. 85 has already been discussed with No. 1.

Deputy Clare Daly: I do not think this has been discussed yet.

An Leas-Cheann Comhairle: It has.

Deputy Clare Daly: Why are we still discussing the Bill? I thought we were due to finish this at 8 p.m.

An Leas-Cheann Comhairle: The finish time is 8.15 p.m. due to an extension on the Order of Business today. This amendment has already been discussed with No. 1.

Deputy Clare Daly: Has it?

An Leas-Cheann Comhairle: It has been discussed with No. 1.

Amendment put:

<i>The Dáil divided: Tá, 34; Níl, 29; Staon, 3.</i>		
<i>Tá</i>	<i>Níl</i>	<i>Stاون</i>
<i>Barry, Mick.</i>	<i>Breen, Pat.</i>	<i>Moynihan, Michael.</i>
<i>Boyd Barrett, Richard.</i>	<i>Bruton, Richard.</i>	<i>O'Brien, Darragh.</i>
<i>Broughan, Thomas P.</i>	<i>Byrne, Catherine.</i>	<i>Troy, Robert.</i>
<i>Buckley, Pat.</i>	<i>Canney, Seán.</i>	
<i>Burton, Joan.</i>	<i>Cannon, Ciarán.</i>	
<i>Collins, Joan.</i>	<i>Corcoran Kennedy, Marcella.</i>	
<i>Collins, Michael.</i>	<i>Coveney, Simon.</i>	
<i>Connolly, Catherine.</i>	<i>Creed, Michael.</i>	
<i>Daly, Clare.</i>	<i>D'Arcy, Michael.</i>	
<i>Doherty, Pearse.</i>	<i>Daly, Jim.</i>	
<i>Healy-Rae, Danny.</i>	<i>Deering, Pat.</i>	
<i>Healy-Rae, Michael.</i>	<i>Durkan, Bernard J.</i>	
<i>Healy, Seamus.</i>	<i>English, Damien.</i>	
<i>Howlin, Brendan.</i>	<i>Farrell, Alan.</i>	
<i>Kenny, Gino.</i>	<i>Fitzgerald, Frances.</i>	

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<i>Kenny, Martin.</i>	<i>Flanagan, Charles.</i>	
<i>McGrath, Mattie.</i>	<i>Harris, Simon.</i>	
<i>Mitchell, Denise.</i>	<i>Heydon, Martin.</i>	
<i>Munster, Imelda.</i>	<i>Kyne, Seán.</i>	
<i>Murphy, Paul.</i>	<i>McGrath, Finian.</i>	
<i>O'Reilly, Louise.</i>	<i>McHugh, Joe.</i>	
<i>O'Sullivan, Jan.</i>	<i>Murphy, Eoghan.</i>	
<i>O'Sullivan, Maureen.</i>	<i>Naughten, Denis.</i>	
<i>Ó Broin, Eoin.</i>	<i>Naughton, Hildegarde.</i>	
<i>Ó Caoláin, Caoimhghín.</i>	<i>Noonan, Michael.</i>	
<i>Ó Laoghaire, Donnchadh.</i>	<i>O'Connell, Kate.</i>	
<i>Penrose, Willie.</i>	<i>Ross, Shane.</i>	
<i>Pringle, Thomas.</i>	<i>Stanton, David.</i>	
<i>Quinlivan, Maurice.</i>	<i>Varadkar, Leo.</i>	
<i>Ryan, Brendan.</i>		
<i>Ryan, Eamon.</i>		
<i>Smith, Bríd.</i>		
<i>Stanley, Brian.</i>		
<i>Tóibín, Peadar.</i>		

Tellers: Tá, Deputies Clare Daly and Brendan Ryan; Níl, Deputies Seán Kyne and Damien English.

Amendment declared carried.

An Leas-Cheann Comhairle: Lest there be any ambiguity, I want to explain to the House that anyone who was here for the Order of Business would have realised that the timing and the sequence changed from 8 p.m. to 8.15 p.m.

Debate adjourned.

Gnó Comhaltaí Príobháideacha - Private Members' Business

Petroleum and Other Minerals Development (Amendment) (Climate Emergency Measures) Bill 2018: Motion

Deputy Bríd Smith: I move:

That Dáil Éireann:

notes that:

— in February 2018, Dáil Éireann agreed the second reading motion of the Petroleum and Other Minerals Development (Amendment) (Climate Emergency Measures) Bill 2018 and referred the Bill to the Select Committee on Communications, Climate Action and Environment;

— pursuant to Standing Order 141, detailed scrutiny was undertaken by the Joint Committee on Communications, Climate Action and Environment prior to Committee Stage consideration;

— in December 2018, the Joint Committee divided on the Question on the draft detailed scrutiny report (which recommended that the Bill progress to Select Committee consideration), and, as there was an equality of votes, the Question was, pursuant to Standing Orders, decided in the negative;

— at a subsequent Joint Committee meeting in February 2019, an amendment to the scrutiny report was agreed in the following terms:

‘The Joint Committee having completed its scrutiny of the Bill has to report that it finds itself unable to recommend for or against the Bill proceeding to Third Stage.’;

and

— when a separate vote was taken to adopt the amended report and lay it before both Houses, there was again an equality of votes and the question was decided in the negative and the Committee therefore arrived at no decision;

further notes that Standing Order 141, while allowing a Joint Committee to undertake detailed scrutiny, did not anticipate that the Joint Committee would fail to report to both Houses;

and therefore agrees that the requirement for the Select Committee on Communications, Climate Action and Environment (having embarked on scrutiny in Joint Committee, pursuant to Standing Order 141(c) to report, prior to Committee Stage, on its detailed scrutiny of the Petroleum and Other Minerals Development (Amendment) (Climate Emergency Measures) Bill 2018, is hereby discharged.

An Leas-Cheann Comhairle: The Deputy’s group has 20 minutes so I presume she is sharing time.

Deputy Bríd Smith: I am aware of that and we will share time. Our group is very sharing.

An Leas-Cheann Comhairle: Will the Deputy make me aware if they are sharing?

Deputy Bríd Smith: I will.

A year ago, as Members know, the Petroleum and Other Minerals Development (Amendment) (Climate Emergency Measures) Bill 2018 passed Second Stage in the House by a big margin of 78 to 48. In reality, given that we are in a climate emergency, this Bill should have been law by now. We should have been joining a historic group of countries such as Costa Rica, France, Belize and New Zealand, which, instead of being laggards when it comes to climate change, are world leaders because they did what this Bill sets out to do in its beautiful simplicity, namely to keep all fossil fuels in the ground.

I thank the Green Party for allowing us to take this motion tonight because we swapped Private Members’ time with it. This is the second time we have used Private Members’ time to attempt to pass this Bill. I would love to use this time to deal with the housing or health crises

or issues of inequality all over this country, but, through a spirit of meanness, the Fine Gael party insisted that we use Private Members' time to move a simple motion that basically asks the Government to stop strangling this Bill and to get it out of the hostage hold that the committee has on it because it is the victim of an unprecedented procedural wrangle that has never happened to legislation previously.

We are using our Private Members' time to try to get it out of this wrangle but I have to ask why that is. Why are we so insistent on putting Members through a painful, repetitive and blatantly discriminatory wrangle of dragging us through and using Private Members' time yet again to get this Bill out of limbo? The reason we are doing it is that this Government and the Minister of State, Deputy Jim Daly's, party is held hostage by the fossil fuel industry. The industry's record of lobbying the Government's Ministers, Senators and Deputies is second to none. A recently retired adviser to the Taoiseach is now leading the lobbying in these Chambers and in the corridors of power on behalf of the industry. It is no secret that he is leading that lobbying but is it not outrageous that the Government, Fine Gael and the Independents on the Government's benches would listen to him and the interests of those who make vast profits from oil, gas and coal, rather than listen to the tens of thousands of children who took strike action across this country less than two weeks ago? These are the children whom the Minister, Deputy Bruton and the chairman of the committee, Deputy Naughton, stood smiling at, patronising and telling them how wonderful they were while, at the same time, the Government is blocking the exact thing that the children want it to do, namely to keep fossil fuels in the ground. Their slogan was: "We need system change not climate change! Keep it in the ground."

What I found interesting coming back here was that a year later I had to ask myself what had happened in that year with all the licences issued for fossil fuel exploration. When one looks at the record online, in the final six months of last year, a total of 12 exploration licences were issued, covering more than 15,000 sq. km offshore which belongs to the people of Ireland. Some 15,000 sq. km has been practically privatised and given away to the oil industry to explore and to exploit. Who are they? Who are the faces who are using the lobbying privileges in Dáil Éireann for their benefit? Exxon Mobil is one. It is facing losing its lobbying privileges in the European Parliament because its representatives failed to turn up for the first hearing on climate change. Exxon Mobil is a climate denier and, interestingly, it supported the property tax. This oil giant publicly supported the Paris agreement but has drawn the ire of scientists, academics and environmentalists because of its climate obfuscation and it is one of the companies that have been given a licence. Another one, interestingly, is Nexen Petroleum, a wholly owned subsidiary of the Chinese national offshore oil company.

The Minister of State will reply that if this Bill is passed, energy security for the people is not guaranteed. I know that because Fine Gael repeatedly says that but the Government has no problem doing deals with Russian-owned and Chinese-owned companies to exploit the resources in Irish waters on behalf of private companies. This is all apparently done with Fine Gael's vision of how to stop climate change. I appeal to the Minister of State and to the Government to listen to the kids. They get it; the Government does not.

Deputy Gino Kenny: This is a pivotal moment in respect of climate change and the environment in Ireland. To try to stop this Bill would be unforgivable. The Government and its agents have done everything to subvert the democratic will of this House and this Bill. The skullduggery and tomfoolery of what is going on has been absolutely shocking. The process has been rigged from the very start to subvert that process. It is not the first time. Other Bills have been subverted, particularly in respect of medical cannabis. Other Bills from Solidarity-

PBP have been subverted. New politics seems a very distant term that was bandied around this place. It seems very antiquated and jaded. I have said before that there is a democratic deficit in this House where the majority of Deputies who want to see popular legislation for the will of the people, this has been always subverted. I would go as far as to say this Government has lost its legitimacy to rule. Many people are looking on and asking about the effects on the environment. As Deputy Bríd Smith said, there has to be a reason the Government is so adamantly opposed to the Bill. It is clear that the reason is there are vested interests, particularly oil companies, which have the ear of the Government. The majority of people want decisive action on the environment by supporting this motion.

The slogan of the environmental movement has been one of system change, not climate change. To challenge that, we have to challenge the elephant in the room, which is capitalism. Capitalism is the source of all the evils of environmental catastrophe and vandalism. The pursuit of insatiable profits by oil companies and by the big multinationals in the world has brought the planet to the brink of a catastrophe. Until we challenge that we will skirt around the edges of the environmental movement. This comes down to ideology. Fine Gael's ideology is wedded in the market system and capitalism. The main thing that the environmental movement going for it is mass movement. Greta Thunberg and the many people who have been at the protests over the past 11 days have been calling for environmental action. Climate action and environmental justice are the new civil rights of a new generation. This generation has become very politicised and radicalised in respect of environmental issues. They are not going to accept the ways of the past. There was a misconception that environmental issues were the preserve of a few people in the upper echelons of society. That has fundamentally changed. It is the preserve of the many of the people on this planet. If the Government is the few, well, the few is up. We have to change this planet and we have to change the ideology that comes with it.

Deputy Paul Murphy: At least with the Taoiseach's predecessor, Deputy Enda Kenny, we got the truth about Fine Gael's attitude to climate change and the establishment parties' attitudes to climate change. Deputy Kenny went to Paris for the climate talks and he said simply and honestly - I suppose we can grant him that - that climate change is just not a priority for the Irish Government. That was the truth then and it is clearly the truth now, as demonstrated by the actions of the Government in general on the issue of climate and in respect of this Bill. The difference with the present Taoiseach, Deputy Varadkar, is not that the policy has changed one iota; it is that the spin and the rhetoric has changed as part of this image of a progressive, socially liberal leader on the world stage. There is the idea that now the Government cares about our future and about the climate. We have speeches from the Taoiseach saying we are laggards on climate change, which is correct, and that we have to change. He was patting the students on strike ten days ago on the back and patronising them as he said, "Fair play, it is great they are taking action", and so on. He is cynically using environmental arguments to consider again greenwashing austerity policies, as the Government has done in the past. However, fundamentally there is no change whatsoever in the attitude of this Government. Ireland is the second worst country in terms of meeting targets in the entire European Union. There is a refusal to do anything substantial about it.

When it comes to this Bill, the Government is not just doing nothing but it is actively operating to subvert the will of this Dáil and the vast majority of people by seeking to block legislation that has passed Second Stage through undemocratic, backroom manoeuvres. It is an absolute scandal that the time of the Dáil has to be used tonight to push this through when it could have been done without debate and we could have got on to debating the substance of the Bill on

Committee Stage. It is revealing about the attitude of the Government. It is absolute madness that in a situation when we know that the current world's known fossil fuel reserves are four or five times as much as can be burned without destroying our planet that the Government would like to be able to continue to issue exploration licences. It speaks to a deep blindness on the part of the Government and the political establishment. This blindness is reflected around the world. It is a refusal to take action both by those who do not accept the science, including the likes of Donald Trump, and those who claim they do accept the science such as this Government. In a sense, it is even worse. The Government acknowledges the role of human action in climate change but it will not do anything about it. On the surface, from the point of view of humanity as a whole, it seems entirely irrational. The actions of world leaders are equivalent to lemmings leading all of humanity off a cliff of environmental catastrophe. The only explanation is that vested interests stand in the way of the interests of humanity as a whole. The vested interests of the fossil fuel industry, which represent some of the most powerful corporations in the world with the greatest political clout, are fighting a rearguard battle in Ireland to try to prevent this Bill going through. They are doing so for two reasons. They want to continue to explore here and, perhaps even more important, they understand the international significance of the Bill if it was passed. They do not want a message to go out saying that the rule of the fossil fuel companies is coming to an end and they are going to be restricted.

It is a microcosm of the more general problem. The science is clear. The latest IPCC report stated that we have 12 years to avoid global warming going over 1.5°C. That is now less than 11 and a half years. After that, another 0.5°C increase would have absolutely devastating consequences such as sea level rises affecting 10 million people, 99% of coral being damaged and insects wiped out. Humanity has managed to cause the extinction of 83% of the world's mammals. The current level of commitments from governments worldwide, which are not even being kept, would result in a 3°C rise. In terms of what is being done, we are heading for a 4°C to 5°C increase in temperature, which would be devastating for our planet and for the people and species living on it. Fundamentally, capitalism stands in the way. The drive for private property and those people who control the economy and make the decisions about how our world works stand in the way of doing what is rational from the point of view of society and humanity as a whole. That is precisely why a movement is essential. Without a movement, capitalist governments around the world will not move a single inch. It is why the school students' strikes ten days ago were so impressive, impactful and important. We had about 1.5 million school students taking strike action in the biggest global day of school student strike action ever seen in the history of the world. More than 10,000, perhaps as many as 15,000, young people in Dublin and 5,000 to 7,000 across the country were involved. These young people are leading the way, and have already forced the resignation of the Belgian climate minister. She will not be the last minister to be claimed by this movement for refusing to do what is necessary.

We have to argue that others follow the lead. The Government should be following the lead, but we know what interest stands in the way. We also have to argue that trade unions follow that lead. Workers should have a vital interest in a plan for a rapid and just transition to a zero-carbon economy. Workers in unsustainable industries should be guaranteed a transfer to a good job in a sustainable sector. That movement must be armed with an eco-socialist programme. These are the only policies that give us a chance to achieve what the science clearly says we need to achieve in a very small space of time. We have to pass the legislation required to keep fossil fuels in the ground. It is absolute madness that we would consider extracting and burning more fossil fuels. We have to renationalise the fossil fuels that exist in this country and keep them all in the ground.

Other policies are needed. We need free public transport. We have to get people out of cars and into properly funded, free, quality public transport served by well-paid workers with decent conditions. The Minister for Transport, Tourism and Sport, Deputy Ross, recently told us that this would cost €600 million, which is the same figure we could be facing in fines from the EU because of our lack of action on climate change from next year. We need a massive home retrofitting programme. Ireland has the worst emissions from households in the European Union - some 60% more than average - because the quality of our house-building is so poor. A massive programme of retrofitting, including solar panels and insulation, is needed. We need a programme of transition in agriculture to transform our biggest emitting sector. It is completely unsustainable. This should be done on the basis of public ownership of big agribusinesses and a different model of grants, which would enable the shift to a fundamentally different model of agriculture from what we currently have.

The fundamental point is that we need to have a societal change. As Deputy Bríd Smith said, the dominant slogan on the climate change march was “system change, not climate change”. The system standing in the way is capitalism, and in my view the change we need to see is socialist change. This is fundamentally captured by the idea that we know the 100 corporations responsible for the 71% of emissions. We know who they are, what they have done and why they have done it. It has been done to maximise profits, and because capitalism treats the environment as an externality that those companies simply do not have to care about. The economy cannot continue in the same way if we are to have the rapid transition we require. The idea that these polluting companies, in private ownership, are going to change in the necessary way in the next 12 years is incorrect; it is not going to happen. In order to preserve a habitable world we need to take those companies into public ownership and democratic control so that we can rationalise, reprioritise and restructure production to create a permanently sustainable economy. It is simply not possible for an economy based on private ownership as a means of production to undergo the rapid transition required. A democratically planned economy is required in order to suppress fossil fuel extraction and usage and to transition quickly and justly to a renewables-based economy.

Karl Marx outlined that even an entire society, a nation or all simultaneously existing societies taken together, are not the owners of the earth. They are simply its possessors, its beneficiaries and have to bequeath it in an improved state to succeeding generations. It is only on the basis of those eco-socialist policies that that bequeathing can take place. Capitalism has outlived its usefulness for humanity. This is nowhere better demonstrated than the climate crisis we are in. It has destroyed our environment and disrupted our climate. It has relegated a billion people to the point of slow death by starvation and malnutrition. It offers no way forward. Instead, we need a rapid and just transition to an economy based on zero emissions. This means leaving fossil fuels in the ground, investing in the transition to renewable energy, passive houses, retrofitting, free public transport and democratic planning over our economy in order to meet the needs of people and the planet.

Minister of State at the Department of Health (Deputy Jim Daly): I move amendment No. 1:

To delete all words after “Dáil Éireann” and substitute the following:

“recognises that climate change is one of the most pressing issues facing humanity on a global scale and it is vital that Ireland plays a strong role in addressing it;

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-notes that Ireland is expected to only achieve a single per cent reduction by 2020 against its non-Emissions Trading Scheme target of a 20 per cent reduction;

-acknowledges that there is a need to step up Ireland's progress and ambition in this area;

-welcomes the significant increase in the share of electricity from renewable sources which now account for 30 per cent of total electricity demand, and calls on the Government to set an ambitious target for 2030;

-notes the need to reduce fossil fuel consumption across the entire economy in order to make progress towards the national transition objective of a competitive, low-carbon, climate-resilient and environmentally sustainable economy by 2050;

further recognises that:

-the transition to a low-carbon economy is a transition for all of Ireland's citizens and, therefore, its socio-economic impacts must be carefully managed; and

-the response to climate change will require difficult choices and that every person, community, business, home, farm and school will have to make changes in their day-to-day activities;

-recalls the Citizens' Assembly report on how the State can make Ireland a leader in tackling climate change, including the 17 recommendations made by the members of the Assembly;

-also recalls the establishment of the Oireachtas Special Joint Committee on Climate Action to consider the report and recommendations of the Citizens' Assembly;

-looks forward to all-party support for the Special Joint Committee's report, its conclusions and recommendations;

and

-calls on the Government to urgently bring forward an all-of-Government plan which will set out the actions that must be taken to make Ireland a leader in responding to climate change and providing for a significant increase over the next decade in the level of renewable energy in our energy mix.

We are all agreed on the destination we need to arrive at as a country in terms of the objective of a competitive, low carbon, climate-resilient and environmentally sustainable economy by 2050. It is also recognised that there is a need to step up Ireland's progress and ambition in this area. In terms of the how we get there, and with this Bill specifically, there is clearly a difference in approach.

At its meetings on 18 December 2018 and 19 February 2019, the Oireachtas Joint Committee on Communications, Climate Action and Environment was not able to adopt a pre-legislative scrutiny report on this Bill. The Government did not vote to progress the Bill as it does not support it, for reasons I will go into shortly. The clerk to the committee has confirmed that all the rules have been followed correctly.

The motion put down by People Before Profit does not relate to the content of the Bill itself, but rather proposes to bypass the agreed Standing Orders of the House. Clearly, we would have

a concern if we move to a situation where the agreed Standing Orders could be changed on a case-by-case basis. Such an approach could make the work of this House very difficult.

We have outlined previously the fundamental issues we have with this Bill. It is not seeking to reduce Ireland's emissions, and does not help us reach our 2020 or 2030 emissions targets. It is simply forcing Ireland to import the fossil fuels it uses. It seeks to commit Ireland to this course of action at a time when the Kinsale gas fields are due to cease production in the very near future and Corrib production is already in decline.

The EU's import dependency for natural gas has increased from 43% in 1995 to 70% in 2016, and its import dependency for petroleum and petroleum products reached 87%. The Bill is, therefore, a conscious decision by Ireland to rely on a relatively small number of petroleum provinces, many located in areas of political instability, for our future oil and gas supplies. The reality is that all credible forecast models, such as those of the International Energy Agency, show that we will continue to need some fossil fuels when meeting the ambition set out in the Paris Agreement. The agency sees the need for continued investment in oil and gas projects to meet energy demand, even in deep decarbonisation scenarios. It also identified a continuing and growing need for oil and gas as non-energy raw materials for many products.

In a European context, the UK, Norway, and Denmark, as well as Ireland, continue to explore and produce natural gas and oil to help meet a part of Europe's future energy needs, and reduce energy imports from Russia and the Middle East, while Europe plays a leading role globally in the transition to a low-carbon future. Within that context, it is accepted that Ireland will continue to require and use some, but significantly reduced, fossil fuels to meet the needs of our people, farmers and industry. We cannot ignore this fact and look to address any concerns with producing oil and gas by leaving it up to other States to deal with it. It must also be pointed out that countries such as Ireland which are in the European Union have a much higher level of environmental regulation than many of the oil and gas provinces across the world. It is not reasonable to take a measure which will not reduce our emissions but at the same time will reduce the State's energy security.

However, we clearly must reduce our fossil fuel consumption across the entire economy. This will reduce our emissions and, at the same time, improve our energy security by further reducing our energy imports. In that light, the Government has tabled a counter-motion, which recognises that urgent actions in respect of climate action must be taken in a comprehensive way that respects our energy security and affordability of energy to our citizens. The motion recognises that climate change is one of the most pressing issues facing humanity on a global scale and that there is a need to step up Ireland's progress and ambition in this area. Specifically, it calls on the Government to urgently bring forward an all-of-Government plan which will set out the actions that must be taken to make Ireland a leader in responding to climate change and providing for a significant increase over the next decade in the level of renewable energy in our energy mix.

I can confirm that the plan will have a strong focus on implementation, including actions with specific timelines and steps needed to achieve each action, assigning clear lines of responsibility for delivery. The new plan will also be informed by successful approaches in other countries. This plan will build on the previous actions taken by the Government, including in the national mitigation plan and the national development plan, and is to be completed shortly. In developing the plan, the Minister, Deputy Bruton, intends that it will address any recommendations that the joint committee includes in its report. These real, tangible, decisive actions

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will reduce our emissions. For example, the Minister, Deputy Bruton, announced on Monday that as part of the all-of-Government climate plan, we are stepping up our ambition on renewable electricity. Currently 30% of our electricity comes from renewable sources. The Minister said he will put in place the actions necessary to deliver 70% of our electricity from renewable sources by 2030. This will have a transformative impact on our carbon emissions.

Similarly a range of measures have been put in place for those buying electric cars, such as a purchase grant, VRT relief and toll discounts. The Minister recently approved funding of up to €10 million to support ESB eCars to develop a nationwide, state-of-the-art electric vehicle fast charging network. We are starting to see results with the number of electric vehicles on the road having doubled in the past year. Furthermore, CSO figures published last week show more than 1,400 new electric vehicles have been licensed in the first two months of 2019. This is more than four times the number licensed in the same two months of last year.

We must continue to roll out these types of measures, which in some cases will require difficult choices. The reality is every person, community, business, home, farm and school will have to make changes in their day-to-day activities.

The motion put forward to progress the Bill will not in practical terms reduce Ireland's greenhouse gas emissions. It will not change our use of fossil fuels. What it will do is eliminate potential secure sources of supply for both Ireland and the European Union. I believe the course of action set out in the Government's amendment offers a considerably better path for Ireland to step up progress and ambition in this area.

Deputy James Lawless: As a member of the committee that has been debating this issue at length for the past two years and in more recent months has been debating the issue in detail and indeed the procedural issues which are at the heart of the motion before us, I know only too well the issues at play in the very important wider climate-action debate and the necessity for urgent action in what is an emergency situation.

Before I deal with the substance of the Bill, it is important to address the procedural and technical matters at the heart of tonight's motion. It is critical to address that procedural issue not just for this Bill but for many similar Bills before the House. New politics has promised much but delivered little. New politics promised and still contains an opportunity for a separation of powers to be manifested within these Houses. The notion, as reflected in our Constitution, that we have an Executive, a Judiciary and a Parliament all equal but opposite holding each other to account, which is a paramount principle of modern parliamentary democracy, is one that we should hold dear and execute, but unfortunately it has been honoured more in the breach than in the observance for most of the time of the State because we have had majority governments.

The job of the Legislature is to legislate, but with all-powerful executives with majorities in the House, that has not been the experience in many Dáileanna. This is the first Dáil where the numbers dictate that that can come into being. However, despite having an arithmetic that Private Members' Bills can and should be brought before the House, be debated and progressed on the basis of their policy merit rather than the colour of the banner under which they come, the experience over the past three years is that procedural devices and technical amendments are found to frustrate Bills. Given that the Government can no longer command a majority in the House, it cannot simply vote down a measure from the other side. Instead things like money messages, procedural matters, voting arrangements and technical reasons are put forward to

delay and frustrate legislation.

I have four Private Members' Bills before the House at different Stages. There are many Bills in areas such as the education, environment and housing, and some Deputies have already mentioned other examples. It is as critical for those Bills as it is for this Bill that we address the procedural lacuna and send a message to Government that it is not good enough to delay and frustrate Private Members' Bills *ad infinitum*. I commend the Deputies who introduced this motion to try to address the deadlock, which is not a good state of affairs.

On the substantive matter, I joined students from four schools outside Naas on Friday, 15 March. These young people came out to take a stand and make their views known that enough is enough. They wanted to plead with us to state their significant concern at the failure of many before their generation to protect and safeguard the planet they will inherit. I am very proud that my daughter, Niamh, was among those who travelled up by bus from Naas to Leinster House and stood outside the gates to be part of that protest movement, joining many hundreds of thousands if not millions of others worldwide on the same day as part of a growing movement because their generation understands this is a real climate emergency, probably the most significant issue to face our planet at this time. They are saying enough is enough.

We know from the academic literature that climate change is real. We understand that the increase in global temperature in the 150 or 200 years since the Industrial Revolution has been greater than in the previous two millennia. We know this is not sustainable. We know that the time for action is now. That has been borne out by many academic experts at the committee. We have engaged. The suggestion from some quarters that this is a rushed Bill is just untrue. The reality is we have had substantive policy debates at the committee with relevant national and international academic experts and we have had the technical argument.

Professor John Sweeney from NUI Maynooth pointed out that Ireland is 27th out of 28 EU countries in our performance on climate change. Behind us is only Poland, which has a natural dependency on coal given its geography. Second bottom of the league table is not where we want to be.

Even if we were to disregard the academic experts and to accept there are experts on both sides, which is the case, we only need to use the evidence of our own eyes. Last year we had the beast from the east which was followed just a few months later by the drought from the south. We had two of the most extreme weather situations in living memory - if not longer - occurring in the past 18 months. The proof is there for all of us to see. Our young people get it; the Opposition in this House gets it; it is time for the Government to get it and start to take these issues seriously and respond on them.

I pay tribute to my colleagues on the Oireachtas Joint Committee on Communications, Climate Action and Environment. I pay tribute to Deputy Bríd Smith for proposing the Bill and all the members of the committee who have engaged in substantive debate on these issues. I also pay tribute to civic society groups such as Trócaire, Stop Climate Chaos, Friends of the Earth and many other advocacy groups that have played such a significant part in creating the context and raising the ante to highlight these issues and insist on getting them to this stage. That has been a crucial part of the momentum on this Bill and other Bills such as the Fossil Fuel Divestment Bill we passed last summer. Momentum is building all the time.

Fianna Fáil will support the motion. It is important to uphold the principle that the Dáil

cannot be frustrated by technical manoeuvres in committee and elsewhere. However, it is not a complete unconditional support. We will be introducing amendments in committee. We will look forward to robust substantive engagement on Committee Stage. We need to recognise some of the concerns raised relating to energy security, continuity of supply and external sources that may be less preferable to meet our energy needs. It is important that we manage that transition in a responsible way and recognise the unfortunate reality that there will be dependence on traditional fossil fuels for some time to come. We will be engaging in committee on those points.

If we were to repeat the mistakes of the past by continuing to look for something else before we put a lid on it, that is a self-fulfilling myth. If we keep on searching and even if we keep finding, we are generating and propagating an industry that will propel itself. If we are to continue to extract and explore, continue the cycle, create jobs and create a local economy based on that industry, it becomes a self-perpetuating myth and we never begin to make transition away from it. It is vital that we begin to make that transition now.

There is an entire false economy there. We can have a far more successful, sustainable, future-proofed, engineering-based technology solution of a green revolution if we embrace renewable energy and all the potential it offers.

That, in itself, is a major potential source of economic activity and growth in the regions where it is based and nationally by contributing to GDP.

A point was made regarding the potential loss to the State if we were to turn our backs on potential untapped reserves. Apart from the question as to where we should stop in the self-perpetuating cycle, there is also the opportunity cost presented by a green revolution. A moot question, one which was discussed by the joint committee, is that if there are vast energy resources off our coast, why have we not found them in the past 50 years?

9 o'clock The Corrib field, which is being wrapped up, has been loss-making and there have been a few other smaller finds. We have had 50 years to find these resources, which has been plenty of time. We will soon have to draw a line in the sand and say we have reached a point of no return. We have plenty of wind and wave energy off the Atlantic coast. Being on the edge of Europe, we have plenty of potential green energy. A small number of wind turbines off the Atlantic coast would generate 5 GW of energy, which would be enough to meet the country's energy needs. Other solutions include solar, biomass and wave energy. There are major untapped resources available. We need to change the mindset and culture and make the transition because we cannot sit on our hands and delay action forever.

The Fianna Fáil Party will support the motion proposing that the Bill proceed to the next Stage. It is important the House asserts itself on matters such as this and on similar Private Members' Bills. We have engaged substantively on the issue and we support the broad thrust of the Bill. We will table amendments on energy security and the time cycle for the transition phase and engage on those issues in committee. For now, however, I commend the Bill to the House.

An Leas-Cheann Comhairle: I call Deputy Brian Stanley who I understand is sharing his time with Deputy Eoin Ó Broin.

Deputy Brian Stanley: I welcome the motion. We are all aware of the global climate problems we face and the need to move away from extracting fossil fuels. We have been extract-

ing these fuels for decades with only limited benefits for the State and members of the public. Corporations have benefited most because successive Governments have presided over among the worst deals on royalties from gas in the world.

Apart from the burning of fossil fuels, we are linked to the petrochemical industry in the western world. What solutions have been put forward? It is vital there are solutions and alternatives. What are the realistic specific replacements for fossil fuels? What exactly are the renewable energy sources that will be put in place? It is one thing to ban fossil fuels but the environmental problems we have will only be solved when we bring forward some alternatives.

Sinn Féin supports the general thrust of the Bill, although it will require some amendments. We need to set in motion the renewable technologies that will replace fossil fuels. It would be completely immoral and foolish to stop using gas extracted here, while continuing to use gas and coal produced elsewhere in the short term because we have not developed replacement energies. We must develop a wide variety of renewable sources such as offshore wind, solar, microgeneration, biogas, biomass and hydro energy. What solutions have been put forward in the House? The major solution currently being put forward seems to be to introduce another layer of tax. Will it be acceptable in future to drive electric cars powered by electricity generated from fossil fuels or nuclear power in England, Scotland or Wales and delivered to us through interconnectors?

We should have a vision to produce our own energy and become an exporter of renewable energy. This means we must specify replacement sources of energy. We urgently need to start developing a biogas industry and to develop offshore wind, solar, hydro, wave, biomass and other energy sources. Sinn Féin has outlined how we would do this in a detailed paper, *Powering Ireland 2030*.

Electricity accounts for only some of our consumption of fossil fuels. What are we doing about transport, which accounts for 40% of the energy we use? Our public transport network is almost completely reliant on fossil fuels. There is no plan or strategy for the public charging system for electric vehicles, which does not exist in many parts of the country. Public transport needs to be more widely available and properly planned, including in the regions.

Successive Governments have had little vision or direction for renewable energy. We now face the moment of truth. We need to reduce our dependence on imported fossil fuels, which cost almost €5 billion per annum. We need to change not only for sake of the environment or to be self-sufficient but also because we face fines as a result of our miserable failure to meet our 2020 obligations on greenhouse gas emissions reductions and renewable energy production. It is estimated that these fines will cost hundreds of millions of euro.

I hope the Bill opens up a debate and that we can legislate on what will replace fossil fuels. Without a rapid change in policy and direction, we will continue to affect the environment by having further sharp increases in greenhouse gas emissions. We need to move away from polluting imported fossil fuels, which requires solutions that are based on renewal sources of energy, of which we have an abundance and for which we need to plan. Talking about the problem will not solve it. What we need are alternatives. We need to open a debate and quickly move to action.

Deputy Eoin Ó Broin: I was one of a number of Deputies who had the great pleasure to attend the climate strike student protest outside the Dáil two weeks ago. All of us who were there

could not but have been impressed by the enormous energy and enthusiasm of the young people who organised the event. It featured some of the best placards I have ever seen at a political protest. There were also two very clear messages from all the young people who spoke from the platform. The first was a damning criticism of the Government and political system generally for their failure to act over decades to tackle this crisis. The second was a demand for action and for all of us to do what is necessary to start to get our emissions under control.

In case the Government is fed up of listening to the Opposition, it does not have to listen to the Opposition or protesting students to understand the depth of the difficulties we are in. A report from its own Climate Change Advisory Council last year had some pretty stinging criticisms of the Government's failure in this regard. Under key messages, the report, in the executive summary, states:

Ireland is completely off course in terms of achieving its 2020 and 2030 emissions reduction targets. Without urgent action that leads to tangible and substantial reductions in greenhouse gas emissions, Ireland is unlikely to deliver on its national, EU and international obligations and will drift further from a pathway that is consistent with the transition to a low-carbon economy and society.

It further states: "Instead of achieved the required reduction of 1 million tonnes per year in carbon dioxide emissions, consistent with National Policy Position, Ireland is currently increasing its emissions at a rate of 2 million tonnes per year." Those are not the words of Karl Marx. This is not the work of an Opposition politician with which the Minister ideologically disagrees. This is the work of his own group of experts which is tasked with advising him on what action to take and it is telling him clearly that he is failing. For me, the following sentence from the report is crucial: "The Government has not provided a pathway for the decarbonisation of the economy and society by 2050." Any plan for the decarbonisation of the economy would start with a very simple premise, namely, that if we want to reduce emissions from the burning of fossil fuels, we must stop extracting them from the ground. That is a basic and simple proposition. For this reason, Sinn Féin is more than happy to support the legislation.

Notwithstanding the Minister's remarks on the deliberations of the joint committee, it seems remarkable that a Bill can pass by an overwhelming majority on Second Stage in this House and somehow be frustrated in committee. That tells us that the committee was originally constructed with a deliberately inbuilt Government majority, despite the Government not having a majority in this Chamber.

We support the Bill. I think its proposers would agree it is just one element of a much bigger approach that is needed from Government. I look forward to seeing the Government plan. The Government has lots of other plans in areas like health and housing and fails to honour the commitments in those, or indeed to fund them. What we need to see in the plan is ambitious, legally binding emissions reduction targets. They need to be enshrined in law so nobody can escape them and they need to cover all sectors, such as energy, transport and agriculture. They have to be supported by adequate investment in the first instance, as Deputy Stanley outlined, to provide people with the cleaner renewable energy alternatives that are necessary for them to be able to carry on with their lives. This is also to ensure that, as we make that transition, it is just for the workers who will be affected by it but also fair, particularly for low and middle income families who, unfortunately, on the basis of how the Government seems to be proceeding, are set to yet again pay the burden of Government inaction.

Last week, Sinn Féin launched a document which is another part of our contribution to this debate. It is a set of proposals on how to dramatically increase energy efficiency in the residential sector both through an expanded programme of retrofitting in private and public sector rental properties, but also to raise real concerns about whether the Government is even meeting its near-zero energy building requirements. Despite the fact there were targets for 2018 and 2020, it is not clear which Department is monitoring this. Despite the fact I have asked the Departments responsible for both climate action and housing who is checking to see if these targets are being met, both are telling us it is not them and to look elsewhere.

Obviously, many of us who are not on the Oireachtas Joint Committee on Communications, Climate Action and Environment have not seen the full report and will wait to see that later. I sat on the Committee on Housing and Homelessness, which spent significant time deliberating on that issue and produced a report that the Government has singularly failed to implement. Even as a gesture of good faith, the Government should allow this Bill to proceed. It should stop frustrating it as it is frustrating other legislation through procedural complexities. It should allow us to progress a simple, sensible, practical alternative that will do what all of the young people who protested outside here two weeks ago want us to do, namely, keep fossil fuels in the ground, dramatically reduce our emissions and start taking serious action on climate change.

An Ceann Comhairle: Before we proceed, I point out to the House that the motion before us is about process. It is not about the substantive issue. The substantive issue is of inordinate importance. It has already been discussed and will hopefully be discussed again, but that is a matter for the House. The motion before us is on process so I must ask the Members to direct their attention to the subject matter of the motion, which is not about mineral extraction but, rather, is about the process that the House has adopted.

Deputy Bríd Smith: As the mover of the motion, I wish to make a point of order. The process is intrinsically linked to the issue. It is precisely because the issue provides the Government with a problem that it has thwarted the process. This is intrinsically linked with it and that is what people here are trying to explain. It is part and parcel of the argument. Believe me, I did not want to use our Private Members' time again to talk about this issue. I did so a year ago successfully but I have to come back and do it again.

An Ceann Comhairle: I am not against what you are doing but I am simply pointing out-----

Deputy Bríd Smith: I have to talk about the issue if I talk about the process. They are intrinsically linked.

An Ceann Comhairle: It is not the issue that is preventing you from progressing; it is the process that is preventing you.

Deputy Bríd Smith: It is the issue that has forced the Government to thwart the process.

An Ceann Comhairle: No, it is the process that we have to adopt. If you could just-----

Deputy Richard Boyd Barrett: On a point of order, I am on the Business Committee. In front of the Ceann Comhairle, the Chief Whip said the reason the Government was not going to free the Bill and the process from the committee was that it opposed the content of the Bill. That is what he said.

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An Ceann Comhairle: Hold on. You are missing the point.

Deputy Richard Boyd Barrett: We are telling the Government it has no right to frustrate this Bill.

An Ceann Comhairle: You can tell everyone what you like but what we are debating here is the process. We are trying to make an arrangement to adopt a change to the process.

Deputy Richard Boyd Barrett: The process relating to this Bill.

Deputy James Lawless: And many others.

Deputy Richard Boyd Barrett: We are trying to change the process.

Deputy Paul Murphy: On a point of order-----

An Ceann Comhairle: Are you going to agree with me?

Deputy Paul Murphy: I wanted to say I am very glad I spoke while the Leas-Cheann Comhairle was in the Chair. I wanted to draw the attention of the Ceann Comhairle to the punchline of the motion-----

An Ceann Comhairle: It is not about punchlines; it is about process.

Deputy Paul Murphy: The motion states: "...and therefore agrees that the requirement for the Select Committee on Communications, Climate Action and Environment ... to report, prior to Committee Stage, on its detailed scrutiny ... is hereby discharged." That is similar. When we passed the Second Stage motion, we agreed it had been read a Second Time. That is always the way. There is a reference to substantial legislation.

An Ceann Comhairle: You are taking up other Members' time. I call Deputy Sherlock. I ask him to stick to the content of the motion.

Deputy Sean Sherlock: I will stick to the process. I have just come from a meeting of the Committee on Communications, Climate Action and Environment, where we are discussing the issues of the report of the Citizens' Assembly, which has a very clear set of recommendations.

An Ceann Comhairle: This is not about the Citizens' Assembly. We are talking about the process that the Dáil has applied.

Deputy Sean Sherlock: With respect, and I am always deferential in regard to the rulings of the Ceann Comhairle, in the short time afforded to me, I would ask you to allow me to set out the preamble of what I am going to say in respect of the process.

An Ceann Comhairle: Go on.

Deputy Sean Sherlock: Thank you. We on the Oireachtas Joint Committee on Communications, Climate Action and Environment are discussing the Citizens' Assembly report. There is a very clear set of recommendations in respect of that and, in particular, a set of clear climate actions that the people want to see put into effect in respect of reducing the millions of tonnes of carbon we produce in this society on an annual basis. What is pertinent to the debate is whether the House allows for the process whereby, when something that is either a legitimate motion or legitimate legislation comes before the House, depending on one's point of view, that is stymied

by the powers that be at a given point in time. It is our very clear view that this process is being stymied, and I make no bones about that. Thousands of people have inundated us with emails in respect of their views and to ask and demand of us that we keep carbon and fossil fuels in the ground and do not extract them.

On that basis, in respect of the process, the Labour Party supports the motion that comes before us tonight. I want to quote from one of the emails I have received. It states that the fair and reasonable approach is clear here; that this is a Dáil Bill and the select committee of Deputies should be allowed to decide whether to move the Bill to the next Stage; that Senators will have their chance to vote on the Bill if it passes all Stages in the Dáil and moves to the Seanad; and that the Government should not be able to block Deputies from pursuing the Dáil's legislative process. On that basis, and in deference to the Ceann Comhairle as Chair of this assembly, I wish to support the motion on the technical basis on which it is before us but also on the basis of the substantive issue that is before us.

An Ceann Comhairle: I call Deputy Joan Collins, who is sharing time with Deputy Catherine Connolly.

Deputy Joan Collins: It is a pity the Ceann Comhairle was not here at the start of the debate because he would have been able to cut across the Minister of State, Deputy Jim Daly, who gave a contribution that went way beyond the process.

An Ceann Comhairle: I will cut across anybody, if necessary.

Deputy Joan Collins: I think we should all be entitled to do that in the House tonight.

I support the People Before Profit motion and have co-signed it with 25 other Deputies. The first point I want to make on the process is to note that there is already precedent for this policy of seeking to prohibit the issue of licences for exploration for fossil fuels off coastlines. In December 2017, France passed legislation to end new licences for oil and gas exploration and to cease all oil and gas extraction by 2040. In that December also, the World Bank made the hugely significant decision that it will no longer finance upstream oil and gas projects after this year. Costa Rica has introduced a moratorium on petroleum exploration until at least 2021 and in January of last year the Belize Government announced legislation to end offshore fossil fuel exploration due to the impact on its barrier reef. The Government's counter-motion notes the need to reduce fossil fuel consumption across the entire economy to make progress towards the national transition to a competitive, low-carbon, climate-resilient and environmentally-sustainable economy by 2050. Part of that process has to include the measures contained in the Bill. Recent research indicates that policies targeting fossil fuel supply are an important complement to measures aimed at reducing demand. While an immediate ban on fossil fuel use is not being advocated in this Bill, it is clear that the phasing out of fossil fuels and the increase in the use of renewables must be radically speeded up. The EPA has stated that we need a stronger incentive to move away from fossil fuel use and that fossil fuel investments carry major financial risks. It urges that investment be directed away from fossil fuels towards sustainable, low-carbon alternatives. That is why this Bill must progress to the next Stage. It must move on to Committee Stage where amendments can be tabled and robust discussions can be had.

As currently drafted, the Bill can be interpreted as not removing the option of indigenous reserves exploration until existing licences expire. As far as I can tell, opposition to this Bill by industry, the Department of Communications, Climate Action and Environment and the Gov-

ernment is based on the hope of retaining the option of continued exploration and the opening up of new fields beyond existing licences. Industry and the Government claim that the Bill will not reduce Ireland's emissions but it is clear that the enactment of this legislation will promote the transition to a decarbonised economy. Ireland is completely behind in achieving its climate and energy obligations. We are known internationally as a climate laggard.

A full 71% of global emissions are the responsibility of just 100 companies. That is why we need to address the issues raised in this Bill. This legislation is supported by many groups including Stop Climate Chaos, the Environmental Pillar and Trócaire, not to mention the thousands of young people who were out on the streets protesting two weeks ago. As Deputy Pringle said, if the voting age was reduced to 16, this Government would not be re-elected because all of the 16 year olds out there would take on the Government and hold it to account for not progressing this legislation.

On the question of process, this Government has continuously tried to thwart Bills from the Opposition. We have seen it with the money message delays and the activity on this legislation that we have seen this evening. We have also seen it with regard to a Bill I submitted in 2016, namely, the Thirty-Fifth Amendment to the Constitution (Water in Public Ownership) Bill. Last year the Minister asked for three months to come back to the House with an amendment. We are still waiting for that amendment to come back from the Attorney General, even though we have raised it time and again. The Government has been kicking that particular can down the road for two years at this stage. It uses every means available to push back and kick the can down the road on Bills that could actually make a difference.

Deputy Catherine Connolly: Níl ach dhá nóiméad go leith agam. Ba mhaith liom mo thacaíocht don rún seo agus don phróiseas a chur in iúl. Táim 100% taobh thiar den rún agus den reachtaíocht. Tá sé thar am stop a chur leis an gcur i gcéill. An bhfuil muid i ndáiríre faoi athrú aeráide? An bhfuil muid chun beart a dhéanamh de réir ár mbriathar? Sin bun agus barr an scéal. Tá sé thar am é a dhéanamh. Seo an Dáil dheireanach chun beart a dhéanamh de réir ár mbriathar.

I feel a certain sympathy for the Minister of State. I do not know how he could stand over the speech he read out in view of the seriousness of what we are discussing. In view of the ruling made by the Ceann Comhairle, I will stick to the issue of the process. The motion asserts that the pre-legislative scrutiny on the Bill has been discharged and that it is time to move on to Committee Stage. I agree with that because of the seriousness of the issue but the Government seems to have missed the message entirely. We have had the Tionól Saoranach telling us to take action, pointing us in the right direction and giving us clear recommendations. We have had students on our streets. The Irish Fiscal Advisory Council, as referred to by Deputy Ó Broin, has told us that our reputation as a climate laggard is likely to discourage foreign direct investment. I think that may be language that the Government understands. Our climate inaction will discourage foreign direct investment. Indeed, the IDA has warned that more and more companies are asking about our policy on fossil fuel divestment.

We have taken some measures in the Dáil, by way of new politics, of which I am very proud, particularly Deputy Pringle's Bill which recently became law. I thank Deputy Bríd Smith for persisting with this legislation. I do not know how we can look in the eye of the children of this country who are appealing to us to take action because they will live with the consequences. Not only will the children of this country live with the consequences, it is those in the poorer countries of the world who contribute least to climate change who will bear the brunt of it, as

we saw recently in Mozambique in Africa. We have talked of legislation and time but now we must take action. The Government likes to quote the former President, Ms Mary Robinson, on occasion but it does not really listen to her. She is telling us that we have to get to zero emissions by 2050 in order to stay below 2°C of warming. That means that we must leave two thirds or more of the known resources of fossil fuels in the ground.

There is a deliberate misinterpretation of what is proposed in the motion and the Bill. I suggest that the Minister of State's speechwriters read the motion and the Bill. I also urge them to read what the Irish Fiscal Advisory Council, Professor Sweeney, Trócaire and others have said, if they think that the Deputies proposing and supporting this are too far to the left. The Government should take a look at what others have said and then look the children of this country in the eye and tell them that it is not going to do anything.

Deputy Mattie McGrath: I am happy to speak briefly on the motion and I commend Deputy Bríd Smith for initiating it. Two weeks ago we had a Private Members' debate on a motion on the national children's hospital and the Minister of State was left in the House, on his own, late at night, to defend the Government. Is that what the Government is using him for? Where is the line Minister this evening? The Government is not giving Private Members' motions the respect they deserve. That said, I mean no disrespect to the Minister of State.

The issue of climate change is unavoidable, whether we are discussing agricultural policy, methane emissions or the use of land for forestry. We simply cannot get away from this debate. Climate change is one of those issues that deeply divides opinion, not only in terms of its causes but also in terms of proposed solutions. Indeed, even among the small group of rural Independents, we are divided. While I agree that we must certainly work to reduce our dependence on fossil fuels and increase our use of sustainable and effective renewable energy, I do not agree that we should impose an outright ban on fossil fuels, which is what the Bill seeks to do. It seeks to stop the issuing of State licences for further fossil fuel exploration in this country. What we need to do is establish a sustainable environmental agenda which can meet the needs of those in the present without compromising the ability of future generations to also meet their needs. In that context, I welcome the young people in the Gallery tonight. While the Bill is well-meaning, it is far too restrictive and takes no account of issues such as energy security. We must increase our efforts to achieve a balance between fossil fuels and renewables instead of absolutely prohibiting fossil fuel exploration, if that is what is required.

Deputy Danny Healy-Rae: Obviously, I do not have to tell the House where I stand on the issue of climate change. I believe that the climate has changed since time began. What causes the change is where I differ from many others. As we know, since the Ice Age, there have been changes in our climate.

The Oireachtas Joint Committee on Climate Action has been meeting for the past number of months but has been sitting in private. Non-members are not entitled to attend meetings that are held in private. I am worried about what is going on in the meetings that have been held in private. One could describe the meetings as being held *in camera*. On the proposed carbon tax, I was absolutely disgusted on the day when the Leader of the Opposition, even though his party supports the Government one day and is supposed to oppose it the next, attacked the Taoiseach for not introducing a carbon tax. We are all aware that fuel is too expensive. People in rural Ireland cannot manage without their cars. It is fine to talk about electric cars-----

An Ceann Comhairle: The Deputy is wandering away from the subject matter of the mo-

tion.

Deputy Danny Healy-Rae: If we were to reduce our emissions to nil, this would only mean a 0.13% reduction in a worldwide context. That is a fact. All of the talk about increasing taxes will only further penalise people in rural Ireland. These are people who are trying to go to work in the morning but they cannot do so without their cars. It is fine to talk about electric cars but we do not have the means-----

An Ceann Comhairle: That is not what the motion is about. Is Deputy Healy-Rae going to give way to Deputy Michael Collins?

Deputy Danny Healy-Rae: I will of course. I say again that the temperature has only risen 1% since 1850, however many years ago that was. Members can add it up themselves.

Deputy Michael Collins: In the little time available, I am happy to speak on the motion. I am all for discussion. Regardless of whether I am in full agreement with the Bill brought forward by People Before Profit, I do not believe the Government should continue to stifle the opportunity for discussion. There are two sides to every argument. I come from rural Ireland where there is a need for tractors, lorries and so on. We need our diesel and other fuels. I come from a community where there is little or no planning regulation in respect of solar farms or wind turbines. Planning permission had been sought for many solar farms in Bandon, Kinsale and other places in west Cork and there has been no planning regulation whatsoever. This is awful for people who will now have to have solar farms outside homes and properties for which they may have paid a great deal of money. It is the same situation with wind turbines. We need these in certain places but there has to be proper planning regulation.

There are many other issues I would like to discuss. Perhaps if we had a more detailed debate-----

An Ceann Comhairle: The only motion we are debating is that relating to process.

Deputy Michael Collins: Yes. I thank the Ceann Comhairle.

An Ceann Comhairle: I thank the Deputy.

Deputy Denis Naughten: Do fossil fuel reserves provide Ireland with the energy security it needs? This is the key question that has delayed the progression of the Bill. There have been significant policy developments on the part of the Government in this area since the Dáil dealt with the issue 13 months ago. Project Ireland 2040 commits us to the removal of dirty fossil fuels - coal, oil and peat - from electricity generation by 2027; their removal from our heating systems by 2035; and cars that use fossil fuels are to be taken off our roads by 2045. Our dependence on oil is set to decrease significantly over the next 15 years, which is the likely timeline for landing any oil found in the deep waters off our Atlantic coast.

In the past 40 years, we have had just four commercial gas finds. Basing future energy security on the possibility of an oil find is like playing roulette and living in hope. Contrast that with the renewable electricity potential off our coast, which, at 50 GW, is enough to meet the daily electricity demands of France and Austria combined. If we established an offshore renewable development authority, we could auction off this electricity. Crucially, this energy is owned by the Irish people and the money it would generate could be used to reduce the cost of clean electricity to families across the State.

One of the things Ireland is good at is producing food. As we develop our green image in key food markets around the globe in the coming decade it will be very difficult to justify Ireland's continued facilitation of oil exploration, especially when it is becoming the global leader in offshore renewable electricity production. The Government of the day could be put in the dreadful position where it might have to buy back the rights to these oil reserves that it is currently awarding. We need to press the pause button now and not wait for new laws to be introduced.

Deputy Bríd Smith: That is why they got rid of the Deputy from his position as Minister.

Deputy Eamon Ryan: I regret that I was not in the Chamber to hear the earlier part of the debate. A very important meeting of the Oireachtas Joint Committee on Climate Action took place earlier. This important motion before the House is, as the Ceann Comhairle noted, about process. It is about the powers of this Parliament. In the United Kingdom, we can see how the House of Commons is taking back power from Government. This is a similar moment. The Government has been fighting the Bill in the knowledge that it does not have the ability to refuse to issue a money message to block it. We will pass the motion when we vote on it on Thursday and thereby allow the Bill to proceed to Committee Stage. That would be an historic moment for the environmental movement in the State and for this Parliament. It is important that we do not allow the Government and the various Departments involved to block the majority will of the people as represented in this House.

This is a hugely significant Bill. I thank Deputy Bríd Smith and People Before Profit for bringing it forward. One of the key actions advocated by the environmental movement to tackle the problem of climate change at source is to not put all the guilt, onus and pressure on individuals to change their behaviour. We should make it easier for people to change their behaviour and we will have to make massive investments and policy decisions to allow that to happen. We also need to recognise the science and listen to what Greta Thunberg and the IPCC are saying. We are aware that we have to leave four fifths of known fossil fuel reserves underground. This is what the Bill will do for Ireland's part of the world. Our sea area is ten times the size of our land area. This is not a small decision; it is not of minor consequence. It is huge in the context of what it would do to keep those fossil fuel reserves in the ground and in the signal it would send out to the rest of the world that Ireland can and will be good at this transition.

In answer to Deputy Danny Healy-Rae and the others, I am of the view that the alternative future in which we will electrify our transport and the heating in our homes, along with all of the other measures we are going to take, will see Irish people thrive and will bring back a strong sense of community with a completely different economic model. We cannot do that and at the same time say we are going in the direction of still looking for every last trace of gas and every last drop of oil. We have to stop. We have to start making the switch. This would give a very important signal to the business community, to our own people and to the international community that Ireland is truly going green.

I have been sitting here with Deputy Bríd Smith through this process and it has been disgraceful the way the Bill has been blocked. The way that Standing Orders and other processes have been used, and the way the Government has blocked the Bill, has been disrespectful of the Parliament. This has come to an end here tonight and I very much welcome that. It is very important that we proceed immediately to Committee Stage and on to Report Stage in order that the Bill can be put before the Seanad during the remaining days of this Dáil and then enacted. This would be a hugely significant step. I would love to see it happen with a range of other Bills

also, but we will start here tonight. This is an historic moment and I commend Deputy Bríd Smith on the way she presented the Bill and in how she stuck with it against all of the obstacles that were put in her way.

Deputy Seamus Healy: With all due respect to the Minister of State, Deputy Canney, and to the Minister of State, Deputy Jim Daly, who spoke earlier, a senior Minister is not here to address this issue. That shows an absolute lack of respect for the Dáil. It is an insult to this Dáil that the Minister for Communications, Climate Action and Environment, Deputy Bruton, is not in the Chamber to address the motion. The other side of that coin is the lack of respect for the process of democracy in the House and for the process by which legislation moves through the Oireachtas. I have no doubt that the Government has deliberately stopped in its tracks the passage of the Bill through the Dáil.

I support the motion, as I supported the Bill in February of last year when it passed Second Stage by 78 votes to 48. The Bill seeks to prohibit the issuing of licences for the exploration for fossil fuels off Ireland's coast. The Dáil referred the Bill unanimously to the Oireachtas committee which is where, of course, it has remained. It has gone into a black hole and remains there, frustrated at every hand's turn by the Government's opposition. This issue does not affect only this Bill, albeit it is a very important one. It affects many Bills, in particular Private Members' Bills, which find themselves in the same black hole. Democracy is being frustrated by the Government. It is frustrating the will of this Parliament and, ultimately, the will of the people. It is clear that there is great interest in the Bill nationally. Like me, most Deputies will have received numerous emails about the Bill from constituents over the past ten days. They have asked us to support the Bill and made the valid point, to quote one email, that the fair and reasonable approach is that, as this is a Dáil Bill, a select committee of Deputies should be allowed to decide to move it to Committee Stage. The email notes that Senators will have their own chance to vote on the Bill if it passes all Stages in the Dáil and moves to the Seanad. The email says the Government should not be able to block Deputies from pursuing the Dáil's legislative process. This is a widely held view outside the House as well as inside it. This is a very important, practical and necessary Bill and the Government must stop frustrating its progress by means of various methods before the committee. I believe this motion will pass on Thursday and I hope the Bill will be implemented before the current Dáil finishes its business.

Deputy Mick Barry: Where is the Minister for Communications, Climate Action and Environment? We are discussing a very important environmental Bill and the process surrounding it but the Minister is not here. The senior Ministers of the Government are not here. Do they understand the growing sentiment among people on the issue? Do they understand the powerful sentiment growing among the young generation on this issue? The Government has tried to round up its Senators to block the Bill and to block the Dáil from debating it, notwithstanding the fact that those Senators will have an opportunity to discuss it in the Seanad. They are trying to use the rules and the process against the spirit of the situation which demands a proper debate on these crucial issues. I support the Petroleum and Other Minerals Development (Amendment) (Climate Emergency Measures) Bill 2018 and the banning of exploration for fossil fuels. Ireland should become the fourth country in the world to take that step.

To see why it is wrong to use the process to block the Bill, one need only look at what has been happening in Mozambique in recent times. The United Nations describes what has been happening there as the single worst weather disaster in the history of the southern hemisphere. The country's former education Minister, Graça Machel, says the destruction of the city of Beira will go down in history as the first time a city was completely devastated by climate change.

There are things we can do. We can pass the Bill and take other measures. Recently, bus fares were cut in the city of Cork for a period of six weeks from €2.40 to €1 as a concession to the local traders' lobby which said trade had been cut as a result of partial pedestrianisation and a car ban on the city's main street, Patrick Street. While it was a modest measure and extremely limited in time, we are getting reports that public transport use increased by 8% while it was in place. Further, the increased level of use has largely held since the measure was reversed and the fare was put back up to €2.40. It raises the question of what would happen if public transport were made completely free, not just for six weeks but indefinitely. What if we followed the example of Estonia, Luxembourg and 100 other cities around the world? We would see a major increase in the use of public transport which is precisely the alternative to the car that we need. Free public transport would cost the State €600 million per annum.

An Ceann Comhairle: Can the Deputy follow his own motion?

Deputy Mick Barry: We will come back to process in a second. The State faces fines of more than €600 million for failing to meet the 2020 emissions target let alone the far greater fines that will kick in if the 2030 targets are not met.

It is a disgrace that the Government is mobilising its Senators and using process to block the debating of the Bill. Globally, 100 corporations are responsible for 71% of greenhouse gas emissions. It is the profiteers who are the polluters and the key polluters are the profiteers. This shows that the fight to defend the environment and protect the climate is linked with the struggle against the profiteers and the capitalist system itself. The main threat to the environment and the planet comes from capitalism. It comes from big business interests putting profit first and the oil and gas industry is at the forefront. Less than two weeks ago, 1.4 million young people in 125 countries around the world went on the streets to demand action. They said we need system change not climate change. That slogan is the beginning of an anti-capitalist consciousness or view point among many of those young people. The climate crisis is set to get worse before it might get better but it will not get better if governments protecting big business and vested interests continue to block Bills like this by using process and block progressive policies such as the implementation of free public transport. I warn the Government that if it continues to protect big business and vested interests, as I think it will, and the situation goes from bad to worse, not only will it have greater numbers of young people on the streets in the months and years to come, there will be a greater and growing awareness among them that the root of the problem is the capitalist system protected by governments like this one. They will make a reality of the idea of having system change, not climate change, and challenge and change the system to replace it with something better and more democratic, a democratic socialist society where the wealth is used for the benefit of people and the environment, not profiteers and polluters.

Minister of State at the Department of Communications, Climate Action and Environment (Deputy Seán Canney): I thank the Deputies for their contributions. We have heard a range of views on the clear need for action on climate change. Much of it chimes with the recent messages from our young students and their demands for action from us. Regardless of one's position on this Bill, we are moving in the right direction by spending more of our time discussing these matters.

As the Minister of State, Deputy Jim Daly, stated, while we may not all agree on the exact details of the path, we are agreed on the destination. The Government is aware that more must be done urgently and I am working closely with the Minister, Deputy Bruton, to ensure

that happens. The Minister has been clear about the Government's ambition to make Ireland a leader, not a follower, in responding to climate change. This will require a significant step change across government. Put simply, it requires increased action. New initiatives are needed across electricity, transport, heat, agriculture and other relevant sectors, building on the previous actions taken by the Government, including in the national mitigation plan and the national development plan.

The Minister of State, Deputy Jim Daly, outlined examples of measures that have been taken. They are but a sample of what we must pursue. As a rural Deputy with a farming background, I am acutely aware that there must be credible and meaningful actions across the board. The work of the Sustainable Energy Authority of Ireland, SEAI, and some of the measures it has been rolling out are great examples of steps that can be taken. The Department of Communications, Climate Action and Environment funds a number of its schemes that aim to improve the energy efficiency of homes and businesses across the country. Examples include a range of grants that are available to householders for improvements such as insulation and heat pumps. Over the last year, the measures available under these grants have been expanded to include deeper measures and to support the policy decision to transition from grant aid for fossil fuel heating systems. Other measures are in place for people on lower incomes and for community-based partnership, such as the better energy communities scheme. The SEAI is also seeking to put schemes in place to drive energy efficiency on farms. I highlight these to show that reducing our emissions will require the continued roll-out of a range of tailored and well designed measures.

An Ceann Comhairle: Are you going to talk to us about the motion?

Deputy Seán Canney: I will, but I have listened to a great deal tonight and there was very little about the motion so I must reply to everything that was said.

An Ceann Comhairle: If you feel you must, but it would be preferable if you would stick to the motion.

Deputy Seán Canney: Such measures will have to be funded. This issue is being considered by the climate committee and I look forward to seeing its recommendations. As the Taoiseach has said, a carbon tax should not be about raising money for the Government or punishing people in their pockets. It should be about nudging people and businesses to change behaviour and adopt new technologies. We must also work with our farmers to modernise agriculture and reduce emissions from that sector, taking into account the need to protect their incomes and livelihoods as well as the environment.

The tax regime in respect of oil and gas has the prospect of delivering considerable revenue to the State. Most of the exploration licences that have been awarded in the Irish offshore are on the most recent tax terms, which means a rate of tax of between 25% and 55% depending on the profitability of the field. The assertion that we are seeking to tax the people and not the companies does not hold up to scrutiny. I also caution against a rush to make the climate debate a debate about tax alone. Such an approach will be divisive and we should guard against it.

Some Members have strong feelings about this Bill. I would like to be in a position to state that Ireland no longer needs oil and gas but that is simply not the case. That is the fundamental problem we must address. Hence the counter motion the Government has proposed which: notes the need to reduce fossil fuel consumption across the economy; recognises that there is a

need to step up Ireland's progress and ambition in this area; looks forward to all parties supporting the special committee's report and its conclusions and recommendations; and specifically calls on the Government to urgently bring forward an all-of-Government plan which will set out the actions that must be taken to make Ireland a leader in responding to climate change and providing for a significant increase over the next decade in the level of renewable energy in our energy mix.

Turning to the Bill, I reiterate that all the rules have been followed correctly. This has been checked and confirmed. There is no more I can say on that. The Minister of State, Deputy Jim Daly, set out our fundamental issues with the Bill. The Bill would have no impact on emissions. It would guarantee that we source the fossil fuels we need during the transition to a low carbon economy not from Irish waters, but from outside the EU, for example, from Russia or the Persian Gulf. Furthermore, importing our energy over long distances from third countries can have the perverse effect of increasing emissions, as energy is consumed in delivering it to Ireland.

There are no quick fixes when it comes to climate action. This Government is committed to moving away from the use of fossil fuels in electricity, heat and transport. I ask people watching this debate and who are invested in Ireland taking action on climate change not to conclude that by not supporting this Bill we are not intending to ramp up our actions. We did so earlier this week with the announcement of delivering 70% of our electricity from renewable sources by 2030. Unlike the Bill before us, this will deliver a real and tangible reduction in our emissions. We will soon finalise our all-of-Government action plan to reduce our carbon emissions.

This Bill is a threat to our energy supply, as has been stated by a number of Members. It could also expose the Exchequer to a loss of income if implemented. I ask Deputies to support us in delivering the actions we are taking. There is much hard work to be done and we need everybody's support.

Deputy Richard Boyd Barrett: The Government has covered itself with shame in how it has dealt with this Bill, just as it has covered itself with shame in how it has failed to deal with the climate emergency that represents an existential threat to the future of humanity. It did not feel shame before Christmas when it was being lobbied by the representatives of the oil companies. We have checked the lobby register and we know who was lobbied. They included the Chairman of the climate committee, Ministers, Opposition spokespersons and so forth. I am glad to say that some of them have not capitulated. If the Government did not feel shame as it danced to the tune of the profit hungry saboteurs of the global environment, it should feel shame after the 15,000 students went on strike a couple of weeks ago. They reminded the Government what is at stake as it tries to sabotage this Bill in the most underhand, devious and dishonest way possible.

The Government does not have the guts to stand up and say it does not give a damn about climate change, and that it just cares about the profits of the oil companies. Instead, it used the dark cavernous committee rooms where it has a majority. It dragged in a few Senators who did not even bother to turn up for the scrutiny of the Bill but who toddled in to vote to keep it hostage. Then it introduced an amendment in this debate, the effect of which will be to frustrate the will of the Dáil again and ensure nothing is done on this. It has been sabotaging democracy in order to continue the sabotage of the environment, imperilling the future of our young people. It is shameful, but not surprising. The record of this Government has been to show complete contempt for the fight to address climate change.

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The Government opposed amendments to the climate mitigation Bill in which we sought binding targets. When I tabled amendments to the forestry Bill in 2015 seeking binding targets on afforestation it voted them down. It increased bus fares when it should be reducing them and increasing subsidies to public transport. Where is the national retrofit programme that would allow us to retrofit our homes, reduce energy usage and deal with the squalor in which many people in this country live because of poor building standards, as well as address the issue of energy emissions? Ministers go over to Europe and we hear special pleading for protections for the big ranchers. We are trying to worm our way out of our climate commitments, which we have catastrophically failed to meet. This will cost this country billions of euro in fines, not to mention the environmental disaster that will be visited on us. It is shameful. The contempt continues when the Minister with responsibility for climate change does not bother to come here to preside over the attempt to sabotage the contents of the Bill. It could not be worse. The contrast between what is supposed to be the embodiment of democracy in this country - the place people like Connolly and Pearse fought and died for - and the Government's devious attempts to sabotage this Bill and the energy, dynamism, commitment and concern for the future of our young people could not be sharper. God almighty, if it is left up to this Government, we are doomed. Thankfully, it is not left up to this Government. The future was out on the streets over the last few weeks. The Government should start to listen to those young people and show a little bit of respect for them.

It is entirely in order to talk about the climate because the Government tabled an amendment that has nothing to do with the process, seeks to delete the motion dealing with the process concerning this Bill and includes only content relating to climate change and the Government's climate change policy.

An Ceann Comhairle: Presumably, the Deputy wants to speak to the Solidarity-People Before Profit motion and not the Government's amendment.

Deputy Richard Boyd Barrett: It is a climate change policy that has failed and the Minister of State knows that. It is even acknowledged in the Government amendment. It is a policy that has failed. We are pathetically short of our targets and the Government is not willing to take the type of radical action that is necessary. The Government says it will not affect emissions. That is a nonsense. This is a global problem. It is not just about Ireland's little emissions, it is about stopping the poisoning of the global environment. For this to happen, 80% of the known reserves, never mind the unknown reserves that the Government wants to find, extract and hand over for profit to oil companies, have to be left in the ground. That is the scientific fact. This is what this Bill seeks to do. It is the absolute precondition to even starting to address the problem and then moving on to all the other things we need such as investment in public transport, afforestation, retrofit and developing renewable energy sources that do not wreck our environment. The Government shows no willingness or no interest in doing that. It has been dancing to the tune of the oil companies and big agribusiness but it will not succeed because the young people are on the march, the people are on the march, and that movement of people power to save our future will prevail in the end, of that I am absolutely certain.

Deputy Bríd Smith: Gabhaim míle buíochas le gach Teachta agus gach páirtí sa Teach a thug tacaíocht don Bhille agus don díospóireacht anocht.

A million thanks to the people in the Visitors Gallery and to the children and everybody else in the movement who are inspiring us all and, I hope, will drive us forward to defeat the type of policies and lobbying and vested interests described by Deputy Boyd Barrett.

I want to address two of the arguments put forward by the Minister of State, the first of which is that this Bill will do nothing to deal with our emissions. As has been said, there is no hard border over Ireland that the emissions do not travel through. The Government might be a little too obsessed with Brexit to realise that it cannot fool physics and nature. This is a global problem. If we continue to extract fuel, then rather than reducing emissions we will be adding to the carbon emissions across the globe. This is the point of the Bill. If we made a find, which would be rare, it would not pay back in spades to the State. I had to listen to a Senator who showed up to vote against this Bill waffle about how great it would be if we found our own gas and oil, that it would be cheaper than importing gas or oil. He had not even bothered to show up when the committee was scrutinising the Bill and hearing evidence from experts who were able to tell us that in the event of any find, there would be no bonanza or royalties for the Irish taxpayer and no massive tax take from these oil or gas companies. Also, if there is a find it would be sold back to the State at market value. There is nothing in this for the Irish people. Most of all, it is ridiculous to say that there is no energy security if we stop issuing licences to extract fuel. There is no security on this planet if we hurtle to a temperature rise of 1.5oC or 2oC. There is no security for anybody anywhere.

Deputy Lawless was correct in his remarks about new politics. He was also correct that the Government is hugging this Bill and keeping it hostage. The Government usurped Standing Orders to ensure its supporters on the joint committee put a stop to a report being laid before the Dáil on a Dáil Bill. The joint committee has no legal or democratic right to stop a Dáil Bill proceeding to committee. Otherwise, we are flying in the face of the spirit of this Oireachtas and these Houses for which people fought for years. There must be democracy. I have no problem with the Minister of State, Deputy Canney, disagreeing with me about energy security, emissions or anything else. In fact, I look forward to the day when he and I can debate these issues in committee, when he can put forward amendments in a legitimate space where we should be having this discussion and where anybody else in this House can put forward amendments if he or she thinks this Bill does not go far enough or it is too weak and so on. We need to be in committee having that debate. That committee then needs to process the outcome of that debate through to the Seanad and the Dáil. The objective of this Private Members' motion is to allow that to happen. It is mean-spirited of the Government to force us to use our Private Members' time in this way when it could have been used to deal with issues of workers' rights, women's rights, the crisis in the housing sector or the health emergencies throughout this country. We have used our Private Members' time. I urge the Government to withdraw its amendment, which is silly. It has nothing to do with what is before the House tonight. The Government needs to allow democracy to take place and allow this Bill to move forward.

Deputy Richard Boyd Barrett: On the point made by Deputy Bríd Smith, which I also made in my contribution, is the Government's amendment not out of order?

An Ceann Comhairle: It is not out of order.

Deputy Richard Boyd Barrett: It does not in any way deal with the content of the motion, which the Ceann Comhairle also alluded to.

An Ceann Comhairle: We will deal with it in a second. We must first consider the amendment in the name of the Minister of State, Deputy Jim Daly.

Deputy Bríd Smith: Can the Ceann Comhairle answer the question as to whether the amendment is out of order?

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An Ceann Comhairle: It is not out of order. It has already been deemed to be in order otherwise the Minister of State would not have been allowed to move it.

Deputy Richard Boyd Barrett: A Cheann Comhairle, seriously-----

An Ceann Comhairle: No. We are not having a debate about that.

Deputy Richard Boyd Barrett: Hold on, you just said a minute ago-----

An Ceann Comhairle: Excuse me.

Deputy Richard Boyd Barrett: -----that the motion deals with process. The Government's amendment does not deal with process. The Ceann Comhairle insisted that this had to be about process.

An Ceann Comhairle: I will insist again that it is about process.

Deputy Richard Boyd Barrett: The Government's amendment has nothing to do with process.

An Ceann Comhairle: We were discussing the Solidarity-People Before Profit motion. The Government moved an amendment. The purpose of the exercise was not to discuss an amendment but to discuss the motion, which was about process. It was a matter for the Minister of State to move whatever amendments he liked.

Deputy Richard Boyd Barrett: The Minister of State can discuss whatever he likes while we are limited to discussing process. That is ridiculous.

An Ceann Comhairle: We were discussing the Solidarity-People Before Profit motion. It drafted the motion. The names of members of that group appear on the motion.

Deputy Richard Boyd Barrett: We are also entitled to respond to the Government amendment.

An Ceann Comhairle: Deputy Boyd Barrett can hardly find fault with our discussing the motion that was tabled by Solidarity-People Before Profit.

Deputy Richard Boyd Barrett: It is a parallel universe.

An Ceann Comhairle: We must first consider the amendment moved by the Minister of State, Deputy Daly.

Amendment put.

An Ceann Comhairle: In accordance with Standing Order 70(2), the division is postponed until the weekly division time on Thursday, 28 March 2019.

The Dáil adjourned at 10.10 p.m. until 10.30 a.m. on Wednesday, 27 March 2019.