



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

SEANAD ÉIREANN

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

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SEANAD ÉIREANN

Dé Céadaoin, 13 Samhain 2013

Wednesday, 13 November 2013

Chuaigh an Cathaoirleach i gceannas ar 10.30 a.m.

*Machnamh agus Paidir.
Reflection and Prayer.*

Business of Seanad

An Cathaoirleach: I have received notice from Senator Fidelma Healy Eames that, on the motion for the Adjournment of the House today, she proposes to raise the following matter:

The need for the Minister for Finance to outline the stages of the mortgage arrears resolution process that the 142,000 mortgages in arrears are at across the various lenders and the progress, if any, made towards achieving targets set.

I have also received notice from Senator Susan O’Keeffe of the following matter:

The need for the Minister of Transport, Tourism and Sport to comment on the recent changes to the application process for driver licences including the reasons an applicant is required to present in person given that there is no similar requirement for other documents such as passports, the reasons for the opening of new National Driver Licence Service centres nationwide and whether existing infrastructure such as post offices could have been used instead.

I have also received notice from Senator Cáit Keane of the following matter:

The need for the Minister for Health to discuss the absence of any unified service provision from the Health Service Executive to the Dyspraxia Association of Ireland, especially in view of the pending redundancy, due to depleted resources of the association’s development officer.

I have also received notice from Senator Terry Leyden of the following matter:

The need for the Minister for Agriculture, Food and the Marine to reverse the decision by his Department to close the front-office administration of the district veterinary office at Sacred Heart Hospital Road, Roscommon town.

I have also received notice from Senator Martin Conway of the following matter:

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The need for the Minister for Education and Skills to comment on the use of Android tablets, in particular e-books, as an alternative to traditional books for visually-impaired students in schools and to clarify what efforts are being made to ensure the content of the e-books used in schools by visually impaired students is analogous to traditional books.

I have also received notice from Senator Deirdre Clune of the following matter:

The need for the Minister for the Finance to address the fact that property owners in managed estates are being asked to pay both management fees and the local property tax.

I have also received notice from Senator Lorraine Higgins of the following matter:

The need for the Minister for Children and Youth Affairs to make funding available for the repair of Athenry playground which is currently in an unsafe condition.

I regard the matters raised by Senators Healy Eames, O’Keeffe, Keane and Leyden as suitable for discussion on the Adjournment and they will be taken at the conclusion of business. Senators Conway, Clune and Higgins may give notice on another day of the matters they wish to raise.

Message from Joint Committee

An Cathaoirleach: A message has been received from the Joint Committee on Transport and Communications to the effect that it has completed its consideration of the order regarding a proposal that Seanad Éireann approves the following order in draft: Irish Aviation Authority Act 1993 (Amendment of Schedule)(Annex 19 to Chicago Convention) Order 2013, a copy of which order in draft has been laid before Seanad Éireann on 30 October 2013 to be referred to the Joint Committee on Transport and Communications.

Order of Business

Senator Maurice Cummins: Immediately after the Order of Business we will have tributes to a former colleague, the late Senator Eamon de Buitléar. The Order of Business is No. 1, Oireachtas (Ministerial and Parliamentary Offices) (Amendment) Bill 2013 - Committee Stage, to be taken at 1.30 p.m. and to be adjourned no later than 2.30 p.m. if not previously concluded; No. 2, Gas Regulation Bill 2013 (Dáil) – Committee Stage, to be taken at 2.30 p.m. and to be adjourned no later than 3.30 p.m. if not previously concluded; No. 3, Private Members’ business, to be taken at 4 p.m. and to conclude no later than 6 p.m.

Senator Darragh O’Brien: On many occasions in this House I have raised the issue of private health insurance and its costs, not just after the most recent budget with the reduction in tax relief on policies that the Minister for Finance, Deputy Noonan, called “gold plated”. Last week his Department confirmed these changes will affect 1.1 million policies not the 500,000 originally estimated. That was a major hit for those prudently paying for private health insurance. Nearly 200,000 people have given up their policies in the last three years because they

cannot afford it.

Yesterday the Minister for Health, Deputy Reilly announced an increase in the stamp duty on private health insurance cases by way of risk equalisation. That means an increase in policy premiums of approximately 15%. Most renewals are coming up between now and January and the Leader and everybody else here will have had people in contact about the increases in their health insurance policy costs.

Laya Healthcare managing director Mr. Dónal Clancy said, “Rather than protect the most vulnerable patients as outlined by the Minister, the levy hike will only increase the burden on an already struggling public health system.” GloHealth chief executive Mr. Jim Dowdall said, “It is farcical, bizarre and absurd that the Minister continually calls on health insurers to drive down costs when Government policies have been the overwhelming driver of rising premiums in recent years.” Mr. Dermot Goode of Cornmarket Healthcare Division said, “Consumers are going to get clobbered,” and that is a fact. Mr. Goode said the changes announced by the Minister would have an inflationary effect even though the stamp duty was not levied on consumers, because insurers are likely to pass on the cost increases.

I raise this in the context of the much heralded universal health care the Minister and Government keep talking about. We have no White Paper or road map, we do not know where it is at. All the public and I see is discretionary medical cards and over 70s medical cards being removed and private health insurance premiums going through the roof forcing thousands of people to leave the system, which will put a further burden on the public health system. This is without the Minister, Deputy Reilly publishing the HSE service plan, due next week.

This situation is going from bad to worse and is at crisis point. I wonder if the Government has any knowledge or feeling for what is happening. We will have further tens of thousands of people giving up private health insurance policies. They will come into the public health system, which is already creaking. The chief executives of the main hospitals in this city have already said they are at breaking point. Where are we going? The Minister for Health, Deputy Reilly must make a statement on where he is going with universal health care. Are all these things he is doing part of the jigsaw to get us to the Dutch model? The Dutch are unpicking their system and moving back from it. I do not understand where the health plan is going.

Has the Leader a date from the Government on when it will introduce free GP care for those aged five and under? The Minister announced this as a cloak. He said he would bring it in but there was no date and no consultation with the Irish Medical Organisation or the GPs. Incredibly, the week before last, he said he would introduce free GP care for all by 2016. What planet does he live on? He will have free GP care for all because nobody will have private health insurance. I am tabling an amendment to the Order of Business today that the Minister for Health, Deputy Reilly, come here for one hour to give a statement on universal health care and the situation with private health insurance cover in this country. It is far too serious for us to be raising it every morning and getting no statement from the Minister.

Senator Ivana Bacik: I have been seeking a debate on universal health insurance with the Minister, Deputy Reilly. The Leader has said he will ask the Minister to come here. It is unreasonable to expect him to come here today but it would be good to have the debate so we can hear from the Minister about the steps that have been made towards universal health care such as the introduction of free primary care for those aged under six. It would be good to hear from the Minister in detail about that in the near future.

Following the contributions many of us made on yesterday's Order of Business I welcome the news from the meeting of EU leaders that there is a very serious pledge to tackle youth unemployment. A funding stream of €6 billion in the EU fund specifically to implement the youth guarantee will be made available from 1 January 2014. As I said yesterday, the Minister for Social Protection, Deputy Burton, has indicated she will come into this House to discuss with us in detail her plan for the implementation of the youth guarantee in Ireland. It is very important to see the Taoiseach committing to the four-month guarantee, that is that no young person would be on jobseeker's allowance for more than four months without having access to a work placement, traineeship or a place in further education and upskilling. It is very important that we have that debate.

I commend Ms Kitty Holland on her excellent but very harrowing piece in *The Irish Times* about the plight of the tracheotomy babies, children up to three years of age who are in Crumlin hospital for seemingly unnecessary periods awaiting a home care package from the HSE. It is hard to know what is the reason for this but it would be good to have a debate with the Minister for Health on this or to hear from him why the HSE cannot make available the funding to enable these young children and babies to be brought home.

There is no economic reason for this. It is far better economically, as well as emotionally for them and for their families, to have them cared for at home. In each of the seven cases Ms Holland described the parents have been trained to offer the 24-hour care needed and all that is required is for the home care package to be made available. It is a very serious matter if these children are being kept in a hospital longer than they need to be and it would be good to hear from the Minister as to why that is.

Senator Sean D. Barrett: I second what Senator O'Brien has said about health insurance. We have known for a very long time that VHI has hidden behind its alleged-----

An Cathaoirleach: Is Senator Barrett seconding the amendment?

Senator Sean D. Barrett: Yes. We have known for a long time that the VHI has hidden behind its older profile of patients in order to impose levies on its competitors. This is another bailout today. I have raised several times in the House the Milliman report, which states:

While it is undoubtedly true that VHI has an older and (arguably) sicker population than its competitors, we believe limited focus has been given to utilisation management and investing in ways to manage claims that can yield savings regardless of the risk profile of its population. ... In all our discussions with VHI, there was minimal emphasis on issues around managing the quality of care given to patients and hence reducing claims cost by limiting inappropriate treatment with no proven medical benefit. Our experience in other markets and our data analysis leads us to believe this is likely to be a source of considerable potential savings.

We have relieved VHI of these inefficiencies by continually asking the other companies to bail it out. While this report is heavily redacted, we see on page 31 that it states VHI's admission rates are too high and there is an average length of stay of 10.6 days when the report estimates it would be 3.7 days in a well-managed system.

When we raised these points, the Government side said the McLoughlin report would answer some of this. However, it appears the Minister has acted before the McLoughlin report. We need to debate that urgently in the House. McLoughlin, who had previously implemented

interesting reforms in local government, was to address these issues. The Leader has agreed that the use of the phrase “gold-plated” in the budget was inappropriate as over 90% of people will pay more because of the wish to clamp down on gold-plating. The gold-plating is in the VHI organisation. The consumer is not protected by the Health Insurance Authority, which has been captured by the VHI company. If we have universal health care in that system, the VHI will have the ability to tax everybody in the country. Now, it just imposes taxes on the rest of us who are not members of VHI. It is an entirely inappropriate way to run the health insurance market. We have been condemned in the Irish courts and the European courts. We need to find ways other than continuously supporting the VHI with money transferred from its competitors. There must be better ways to run the health insurance system. We were hoping Mr. McLoughlin would have a chance to report on these issues and we need to debate what he has to say. However, it seems to me that the permanent government in the Department of Health will always defend VHI when it badly needs some competition.

Senator Pat O’Neill: I would like to compliment the Garda Síochána on the fact that 7,000 people have been arrested in the last 18 months under Operation Fiacla, which deals with burglaries around the country. This proves how widespread this problem is and, in particular, how vulnerable elderly people in rural Ireland are. Some 4,000 of these 7,000 people have now been charged and brought before the courts. As legislators, we have to ensure the proper supports are there for the Judiciary, the Minister for Justice and Equality and the Garda Síochána to deal with these people. Many are repeat offenders and, when they are charged and let out on bail, they continue to commit crimes.

The law should be changed. I ask the Leader to ask the Minister for Justice and Equality to come to the House at some stage for a debate on how we, as legislators, can bring in supports for the Judiciary, the Garda Síochána and the Department of Justice and Equality in dealing with these people. I saw a newspaper report two weeks ago concerning a repeat offender who had more than 120 offences for shoplifting and more than 20 offences for driving without insurance but who had not been sentenced by a judge due to other circumstances. That is disgraceful. At this stage, we need to have a debate in the House in regard to sentencing and the way our criminals are dealt with. As I said, 7,000 people in 18 months is a lot of people arrested and shows that gardaí are doing a great job. None the less, we have to make sure the supports are in place so that, when they do catch these people, they are dealt with properly.

Senator Marc MacSharry: I want to join with my colleague, Senator Darragh O’Brien, in mentioning the revelations over the past 24 hours on health insurance. In anybody’s mind - following on from what Senator Colm Burke has said in recent weeks about the discourse on health being quite personalised against the Minister - it is simply impossible to ignore the calamity that appears to be our health services at the moment in terms of its funding. On the one hand, we are seeking to introduce, for the most wealthy in the country, free GP health care for those aged under five while on the other, we are screwing the coping classes to the wall by continually hitting them and expecting them to pony up more.

The cost for a family with two children for a year will be approximately an extra €328. Since 2009 the health levy has risen by 149% for an adult and 155% for a child. As Senator Darragh O’Brien said, we have had the CEOs of three major hospitals say they are beyond capacity and at breaking point. We have had €150 million in cuts to primary care, which has arguably contributed to the 10% rise in the number of people using accident and emergency departments. All of this comes against a backdrop in which the Minister is saying there will be free GP care for all by 2016 and then universal health care. It is worth noting that some academics are now

saying universal health care is not the way to go. If people can afford to pay, I, for one, would like them to pay. I do not want multimillionaires to be subsidised by people who have nothing. I do not want multimillionaires to have free GP care for their children.

There is no wish to personalise this against the Minister. I do not doubt the man's commitment in wanting to do a better job, but the reality is that even a cursory look at the health service at the moment would give people the impression it is a complete headless chicken, a calamity and a major problem. Anybody who suggests otherwise is reminiscent of that Iraqi leader who said they were fully in control and winning the war when the tanks were outside the studio.

Senator John Gilroy: Noel Dempsey and Dermot Ahern, was it?

Senator Marc MacSharry: There must be a way to discuss what is actually going on.

An Cathaoirleach: Has the Senator a question for the Leader?

Senator Marc MacSharry: The question could not be clearer, frankly.

An Cathaoirleach: I call Senator Harte.

Senator Marc MacSharry: Who is running our health service? How much is it going to cost? Where is the money coming from? Why is middle Ireland constantly being screwed to the wall?

An Cathaoirleach: I call Senator Harte.

Senator Jimmy Harte: I believe the name given to the Iraqi was Comical Ali. Maybe he was referring to the gentlemen who were previously standing outside Government Buildings saying everything was okay. I think they were the Comical Alis of the time.

Senator Marc MacSharry: There is a new Comical Ali now.

Senator Jimmy Harte: Is the Senator identifying himself?

An Cathaoirleach: Has Senator Harte a question for the Leader?

Senator Jimmy Harte: I agree with the call for a debate on the private health system. As has been noted, the VHI welcomed the move by the Minister while the other companies were critical. There is a play going on between the different private companies-----

Senator Sean D. Barrett: Of course there is.

Senator Darragh O'Brien: It is because we are all subsidising VHI and there is no competition because it is being run by the Government.

An Cathaoirleach: Senator Harte, without interruption.

Senator Jimmy Harte: A debate is needed on the whole health insurance system. Some of us were in Taiwan last January as part of a delegation. Taiwan has a similar system to ours, with both public and private services, but there were no waiting lists in Taiwan. We asked them why this was so, and they said it was because the system there worked more efficiently. I believe the system can work efficiently if it is taken control of. Over the years, the VHI was obviously a company that was, as the Senator said, subsidised by the taxpayer. There is now a competitive market and I believe market forces will come into play.

As a speaker on the other side of the House said, there are those who can afford expensive health insurance and others who cannot. We are moving to a system under which those who can afford private health care will pay for it, as they do in the United States. We are happy to have a debate on this issue but Members should not forget what happened to the health service under the last Government. The leader of the Fianna Fáil party was the Minister for Health and Children, although I do not want to rehash that. There is a storeroom out there somewhere filled with reports signed at the bottom by Deputy Micheál Martin.

Senator Darragh O'Brien: What is Senator Harte's point?

Senator Diarmuid Wilson: That is an outrageous comment.

An Cathaoirleach: Senator Harte is over time. I call Senator Norris.

11 o'clock

Senator John Gilroy: Deputy Micheál Martin does not read reports.

Senator David Norris: This is a problem not just for the Minister for Health, the Government or the Opposition; it is a problem for the nation. The health service is chronically dysfunctional, and playing party politics with the issue is of no use at all. The reality is that every party played a role in the disaster we are now facing. It was indeed Deputy Micheál Martin, as Minister for Health, who disestablished the existing regional health authorities and set up the Health Service Executive, but everybody considered it a good idea at the time. Unfortunately, the then Government lacked the courage to take on the bureaucracy that carried over from the previous system. As a result, our ratio of administrators to primary care deliverers is twice that in the neighbouring island of Britain. That is one of the most serious problems with the system.

This issue should be examined on an all-party basis. With that in mind, we might recommend that it be referred to the health committee. The principal job of the committee at this time should be to review the operation of the health service. I have had a wonderful experience of the health service and cannot speak highly enough of it. The treatment I received was the best in the world. However, I have platinum-plated insurance for which I intend to continue paying. I would not mind if I were bringing other people on board by paying extra. That does not bother me; it is how society should work. Another member of my family who was treated in the public system when she was critically ill some weeks ago received superb care. We should be careful not to dishearten the people who are working in the health service.

We must address the problems in accident and emergency departments, which are clogged up by utterly self-indulgent alcoholics and drug addicts who make a total hames of the place. There should be safe containment facilities for such people to ensure they do not endanger the health and well-being of hospital patients and staff. We are far too tolerant of that type of anti-social and dangerous behaviour.

To reiterate a point I have consistently made, we must exercise great care in taking on full responsibility for European legislation. Today, as on most days of late, several instruments relating to European legislative matters are set to pass through the House without debate. That tells its own story. It warns us that we should be very selective and prepare very well if we are taking on this important responsibility. There is certainly a role for the Seanad in this regard, but it must be done in a particular way, with adequate resources and adequate time. Nor should it detract from our primary obligation, which is to review legislation.

An Cathaoirleach: The Leader has clarified that No. 3 on the Order Paper is not being taken today. Private Members' business is No. 47, motion No. 6.

Senator David Norris: Did I say something different?

An Cathaoirleach: The Senator referred to No. 3.

Senator David Norris: Yes, No. 3 is a motion relating to EU business.

An Cathaoirleach: That motion is not being taken today.

Senator David Norris: At least one of these motions is being taken today.

An Cathaoirleach: No, not today.

Senator David Norris: To clarify, neither of the two motions relating to EU protocols is being taken today?

An Cathaoirleach: That is correct.

Senator David Norris: I thank the Cathaoirleach for his clarification. My point stands, however, in that they will be taken at some stage without debate.

Senator Martin Conway: I congratulate colleagues who took part in the Oireachtas fashion show in aid of motor neuron disease last night. Senators Trevor Ó Clochartaigh and Eamonn Coghlan, as well as all the ladies, looked fabulous. Senator Hildegard Naughton even gave us a bar of a song. It was a great night for a very worthy cause. Well done to all.

Will the Leader arrange a debate on the sections of the Charities Act that have not yet been implemented, including the provisions relating to the establishment of a charities register? Such a register is needed and should be funded from the charity sector itself. Every time people put a euro into a bucket, buy a line or donate clothes, they are handing over something they have worked hard to obtain. The public would like to see the charity sector properly regulated in this country. There are many organisations doing phenomenal work on a shoestring budget but there are others, unfortunately, that are less noble in how they go about their business.

In order to safeguard the status of charities that do their business properly in guarding and protecting the moneys they receive to ensure it goes to the people who need it, there must be a properly regulated charities sector. The legislation is in place and only needs to be implemented. A debate on the charities sector would allow us to discuss on the floor of the Seanad the good work that is being done by so many charities and expose those which are less honourable in conducting their business.

Senator David Cullinane: I support the amendment to the Order of Business and join the calls for a debate on health care. There are many issues to be discussed with the Minister for Health. The rising cost of private health insurance, for example, has been raised by several colleagues. Those rising costs must be seen in the context of the Government's plan to build the system of health care delivery around universal health insurance. The premise of the Minister's model is that health care will be delivered through so-called competing private health insurers. As it stands, I do not see much evidence of competition between insurers, which is one of the challenges that will undoubtedly persist under any new system.

I would prefer to see a system of State-provided universal health care. People pay their

taxes, PRSI and the universal social charge but will have to pay again for health care. That is unacceptable and perpetuates the two-tier model. We need a debate on the increases in private health insurance in the context of the model of health care delivery the Government has proposed.

Can the Leader confirm whether the Health Service Executive's national service plan for 2014 has been delivered to the Minister? It is an important document which will spell out where exactly the axe will fall for hospitals throughout the State. In its wake will come the regional plans and local hospital plans. The publication of the national service plan would be an opportune time to have the Minister in the House for a full debate on the plan itself as well as the issues that have been raised by Senators regarding private health insurance and the Government's favoured health care delivery model.

An Cathaoirleach: Before calling Senator Colm Burke, I welcome members of the Irish Naval Association to the Visitors' Gallery.

Senator Colm Burke: One of the major problems in regard to the provision of health care in this country has been the total lack of planning. A simple example of this can be seen in the figures relating to dialysis services. There are more than 1,800 people receiving dialysis at this time, which equates to some 250,000 appointments in real terms, or 20% of day care procedures in the State. In Norway, by comparison, only 370 people are receiving dialysis, and more than 300 kidney transplants are conducted in that country every year. In Ireland, only 150 of those operations are carried out annually. This situation is a consequence of the lack of planning over the ten years from 2000 to 2010. If people are complaining about the health service, they must look, in the first instance, at the lack of planning.

The health care budget for next year is €5 billion less than it was five years ago, but the services are still being delivered. There are issues that need to be tackled, but the fundamentals are there. In maternity care, for instance, Ireland has among the lowest rates of maternal mortality and perinatal mortality in Europe. That is because we have a dedicated staff delivering a very good service. I support Senator David Norris's comments in this regard. We need to ensure that when there are cutbacks, services are maintained. Reducing the budget should not necessarily result in a reduction in services. On the contrary, it is about achieving better value for money. It is also about setting up proper structures. Another example of a lack of planning is the fact we have more than 2,000 junior doctors on six-month contracts. That particular system has been in place for the past 20 years and is no longer working. As a result, more than 65% of our graduates are leaving the system within 12 months of qualifying from medical college. That problem must be addressed. According to the Minister, he is dealing with that. He is setting up a structure to ensure long-term, rather than six-month, contracts are offered to junior doctors. These are the issues we are dealing with.

There is a need for a debate on the structures of governance and the six hospital groups we are setting up. We need to look at the system of governance in respect of the area of community care and the system of governance that will be put in place. We have not had a debate on it and it is something we must have in terms of how it will be put in place, monitored and managed.

Senator Brian Ó Domhnaill: Ba mhaith liom tagairt a dhéanamh don fhadhb mhór atá sa tír seo i dtaca le daoine óga, idir 18 agus 25, a bhfuil dífhostaithe agus nach bhfuil deiseanna fostaíochta ar bith acu. Níl obair ar bith ar fáil dóibh agus níl aon tacaíocht ar fáil dóibh ó thaobh struchtúir de ón Rialtas ach oiread.

Some 62,580 young people between the ages of 18 and 25 years are unemployed and on the live register. Over 4,000 of them come from County Donegal. There has been much talk about what is being done for young people and over the past 48 hours the Government has been quick to point out that it initiated proposals in that regard. However, the cut in the social welfare budget will affect 21,000 young people who are being asked by the Minister to go into education. There are only 3,250 places available so some 18,000 have no additional educational opportunities. If we are talking about policy, we need to be clear on what is being done. The recent OECD report, "Getting Youth on the Job Track", reported that Ireland lacks a youth employment strategy and youth unemployment and youth emigration strategies. We are quick to hop on a plane to Paris and say there is a €6 billion fund available across Europe. That may be the case and Irish Ministers may be quick to claim it but we can only be judged on what we do at home. The Irish Government is only providing €14 million in next year's budget as part of its youth guarantee programme. According to the National Youth Council of Ireland, €273 million is required and the Government is providing only 5% of that. It is a drop in the ocean and it is not dealing with the issue. If they cannot obtain employment, young people are left with no option but to emigrate. I know one parish, Lettermacaward in west Donegal, in which 90% of the people between 18 and 25 years have left under the watch of this Government.

An Cathaoirleach: The Senator is way over time.

Senator Brian Ó Domhnaill: Let us have a debate shortly on the issue over four or five hours. Let us bring proposals to the table.

Senator Marie Moloney: I add my voice to the news of the further increase in private health insurance at a time when we should encourage people to take out private health insurance. Obstacles are being put in their way. I echo the calls for the Minister to come to the House, although I understand it is not possible for him to come today. We should have a debate on the issue. We wake up every morning to hear about difficulties in the health service. This morning, I heard about children undergoing tracheotomy in Crumlin hospital. They cannot go home because the home care package is not in place. They are ready for home but unfortunately they are not able to return. The health system is a poisoned chalice for anyone to take up. I ask that the Minister comes in as early as possible to debate the issue of private health insurance and the health system in general.

Senator Mary M. White: I am compelled to raise the serious matter of the Irish Russian adoption crisis, about which I spoke on two previous occasions. I am in contact with Ms Lisa Fennessy and Ms Pamela O'Reilly, two of the women who are enduring a state of extreme uncertainty and emotional pain on this issue. While the couples in question very much appreciate the commitment of the Attorney General, Máire Whelan, to a possible retrospective clause in an amendment, we must continue to fight on behalf of these families, who remain in a state of limbo. We must urge the Minister for Children and Youth Affairs, Deputy Fitzgerald, to stay on top of the issue and find a resolution as soon as possible. The Minister has been dealing with the issue since July and she would want to get her act together.

Senator John Gilroy: That is not fair.

Senator David Cullinane: That is not fair.

Senator Mary M. White: The Russian babies and their potential parents' future rests in her hands. We must find a resolution as soon as possible.

An Cathaoirleach: The Senator is not supposed to name people on the record.

Senator Mary M. White: I do not want anyone interrupting and giving their opinion. I recently submitted a parliamentary question on the issue to the Minister for Children and Youth Affairs asking if legislation will be amended retrospectively to allow the number of families who hold declarations of eligibility and suitability to adopt which were issued to them prior to 31 October 2010 and already have referrals of children in the Russian Federation to proceed with their stalled Russian adoptions, as previously indicated.

Senator Maurice Cummins: On a point of order, are Senators allowed table parliamentary questions?

Senator Mary M. White: Through a colleague in the Dáil.

An Cathaoirleach: That is not a point of order.

Senator Brian Ó Domhnaill: It is very well researched.

An Cathaoirleach: Does the Senator have a question for the Leader?

Senator Mary M. White: I received the following response from the Minister: “The advice of the Attorney General has been sought and I understand that in principle it is possible to enact legislation which could retrospectively extend the period of validity to declarations.” I am urgently and passionately calling on the Minister for Children and Youth Affairs, Deputy Fitzgerald, to do something about the extreme pain she is putting people through. How would she like to be in this situation-----

Senator Maurice Cummins: That is ridiculous.

Senator John Gilroy: That is dreadful.

Senator Mary M. White: -----if she was waiting for years to adopt a baby? How would she like to feel it herself?

Senator Jim D’Arcy: I welcome the fact that the ASTI and the Minister are now talking about resolving the issues between them. I congratulate the ASTI standing committee and its central executive committee on the responsible attitudes to planned industrial action. It has been kept to a minimum. For the good of the students of the country, I hope an early resolution can be brought to the dispute. The Minister is right to agree to have discussions with teachers on the implementation of the new junior certificate cycle. It is important that everyone is on board. I look forward to the secondary school students of this country having an uninterrupted year. It is a very important time in their lives.

Senator Maurice Cummins: Senator Darragh O’Brien referred to private health insurance, as have a number of Senators. It is important and everyone agrees the health insurers should drive down costs. The Minister should outline his plans for universal health insurance and provide an update in early course. I would prefer if he did so in this House. I will ask the Minister to communicate his plans in that regard.

With regard to free GP care for those under five years of age, the Government is embarking on a major reform of the health system and the aim is to deliver a single-tier health service, supported by universal health insurance where access is based on need rather than ability to pay.

A number of important stepping stones are necessary to pave the way for the introduction of universal health insurance. Delivering the first phase of the GP care to children up to five years of age in 2014 is a major step. Every parent and grandparent knows the early years of family life are very expensive and we know the hard-working parents of 240,000 children will now be reassured that they can bring children to a doctor without having to pay for each appointment. Internationally, Ireland is only taking the first steps to catch up with the standard practice, which is clearly evident in western Europe, of operating a universal GP service.

Following settlement of the health Estimate, the Minister for Health secured additional separate funding of €37 million for the introduction of free GP care for those under five. The Estimate is fully costed, based on current rates of reimbursement to GPs under the general medical services scheme, including capitation fees, practice support costs and other claimed costs. It is estimated that this measure will bring the proportion of the population with access to GP services without fees to almost 49%. Legislation will be required for the introduction of this reform, which will commence in the Department of Health. That should answer Senator O'Brien's query.

Senator Bacik welcomed the fact that over €200 million in finance from Europe was announced yesterday for the youth guarantee, which is to be welcomed. Senators Bacik and Moloney also outlined the plight of children in Crumlin hospital and the delay in providing home care packages. That is a disgrace and should be acted upon as a matter of urgency. I welcome Senator Barrett's comments regarding health insurance and I hope we can have a debate on that. I understand that the McLoughlin report is due in a matter of weeks.

Senator O'Neill complimented the Garda on the work done in Operation Fiacla, which has resulted in over 7,000 arrests and over 4,000 people brought to court. The Minister for Justice and Equality has indicated that all necessary resources will be provided to combat a spate of burglaries, and I join in complimenting the Garda for the efforts in this regard. I certainly agree with some of Senator MacSharry's comments, and spending over €13 billion on a health service should be more than sufficient to fund a world class health service. There is no question about that. I also note Senator Harte's points in that regard.

Senator Norris asked that the issue of universal health insurance be referred to the health committee, which is probably an appropriate venue for such a debate on policy. He complimented the people within the health service who provide such wonderful care for people who are in hospital. I note his points on the clogging of accident and emergency units, which has been going on throughout the length and breadth of the country. It is disgraceful that people with anti-social characteristics are terrifying people who are ill and waiting for a proper service.

Senator Conway spoke about proper regulation of the charities sector and implementation of relevant legislation. Senator Cullinane asked a question regarding the health service plan and the HSE has up to next Friday to submit the 2014 national service plan to the Minister for Health for consideration. After that date, the Minister has 21 days to either approve or seek an amendment to the plan. Senator Burke pointed out the plight of junior doctors, as he has done consistently in the House, outlining that steps are in place to address the problem, which should have been dealt with many years ago. He also called for a debate on community care, which we will try to arrange with the relevant junior Minister.

Senator Ó Domhnaill spoke about youth unemployment and the youth guarantee. I gave a comprehensive reply to that on yesterday's Order of Business and put the correct figures on the

record of the House. I remind the Senator we were losing 7,000 jobs a month on the watch of the last Government. Senator White commented on Irish Russian adoptions. It is disgraceful to suggest that the Minister for Children and Youth Affairs, Deputy Fitzgerald, who has taken a personal interest in the problem, is not working sufficiently in order to solve the problem.

Senator John Gilroy: Hear, hear. The Leader is dead right.

Senator Maurice Cummins: Representations have been made to Russian authorities and the Attorney General. I assure the Senator the Minister is doing everything possible-----

Senator Mary M. White: Action is required.

Senator Maurice Cummins: -----to find a lasting resolution to the problem. It is not an issue with which to play politics.

Senator Mary M. White: I do not play politics. People are suffering.

An Cathaoirleach: The Leader, without interruption.

Senator Maurice Cummins: Senator Jim D’Arcy spoke about the resolution to the ASTI dispute, which we all welcome. I do not propose to accept the amendment to the Order of Business as tabled.

An Cathaoirleach: Senator Darragh O’Brien has moved an amendment to the Order of Business: “That a debate with the Minister for Health on universal health care and private health insurance cover be taken today.” Is the amendment being pressed?

Senator Darragh O’Brien: Yes.

Amendment put:

The Seanad divided: Tá, 16; Níl, 24.	
Tá	Níl
Barrett, Sean D.	Bacik, Ivana.
Crown, John.	Brennan, Terry.
Cullinane, David.	Burke, Colm.
Daly, Mark.	Clune, Deirdre.
Leyden, Terry.	Coghlan, Paul.
MacSharry, Marc.	Comiskey, Michael.
Mooney, Paschal.	Conway, Martin.
Norris, David.	Cummins, Maurice.
Ó Domhnaill, Brian.	D’Arcy, Jim.
Ó Murchú, Labhrás.	D’Arcy, Michael.
O’Brien, Darragh.	Gilroy, John.
O’Donovan, Denis.	Harte, Jimmy.
O’Sullivan, Ned.	Henry, Imelda.
van Turnhout, Jillian.	Higgins, Lorraine.
White, Mary M.	Keane, Cáit.
Wilson, Diarmuid.	Moloney, Marie.

	Moran, Mary.
	Mulcahy, Tony.
	Mullins, Michael.
	Naughton, Hildegard.
	Noone, Catherine.
	O’Keeffe, Susan.
	O’Neill, Pat.
	Sheahan, Tom.

Tellers: Tá, Senators Ned O’Sullivan and Diarmuid Wilson; Níl, Senators Ivana Bacik and Paul Coghlan.

Amendment declared lost.

Question, “That the Order of Business be agreed to”, put and declared carried.

Death of Former Member: Expressions of Sympathy

An Leas-Chathaoirleach: I now call on the Leader to lead the tributes to the late former Member, Mr. Eamon de Buitléar

Senator Maurice Cummins: I am privileged to lead the tributes today to the late Eamon de Buitléar, former Senator, who passed away earlier this year. I wish to express my sincere sympathy and that of the House to his wife, Lailli, who is here with us today and to his five children, Aoife, Éanna, Róisín, Cian and Doireann.

Eamon, a custodian of the Irish language, was appointed to Seanad Éireann in 1987 in acknowledgement of his dedication to, and avid interest in, environmental issues and the Irish language. Alongside his appointment to this House, he also served on the Heritage Council of Ireland and the Central Fisheries Board. Foremost, however, Eamon was one of Ireland’s best known wildlife film makers and an accomplished author of books on natural history. Eamon’s pride in his Irish roots was illustrated throughout his works and I am sure there are not many people who have not seen at least one of his films or read one of his beautifully-written books.

Those of us who are old enough will remember his weekly wildlife programme on RTE, “Amuigh Faoin Spéir”. I certainly remember it and believe it had a weighty influence on our attitudes to environmental issues in Ireland. Throughout much of his film production and writing, his passion for the need to preserve and protect the Irish language, heritage and wildlife was always reflected with genuine concern.

As well as public affairs, writing and film making, Eamon also pursued a deep love of tradi-

tional Irish music and was an accomplished mouth organ and button accordion player. He was also a founder member of Seán Ó Riada's Ceoltóirí Chualann. I believe it was not unknown for Eamon to take out his mouth organ and play a little tune when contributing to various radio programmes over the years. I was heartened to learn that not long before his passing, Eamon had donated his entire collection of film, music and writings to the National University of Ireland in Galway. That act demonstrated his deep love and passion for Irish culture and heritage. It is very fitting that the works of one of Ireland's greatest wildlife enthusiasts should be preserved in this way.

Eamon had a great love for children and his family. Again, I would like to extend my condolences to his wife. Ar dheis Dé go raibh a anam dílis.

Senator Labhrás Ó Murchú: Tá an-áthas orm go bhfuil seans againn inniu ár moladh agus ár mbuíochas d'Eamon de Buitléar a chur in iúl maidir leis an saothar a dhein sé dúinn agus don náisiún. Níl aon amhras faoi ná gur duine speisialta a bhí ann. Má fhéachann muid siar ar a shaol agus ar an mhéid oibre a dhein sé, ní h-aon ionadh é go raibh ard-mheas ag muinntir na hÉireann air, idir óg agus aosta. Ba Ghael den scoth é ó thaobh na Gaeilge, an ceol agus ó thaobh oidhreacht a freisin. Táimid uilig go mór faoi chomaoín aige de bharr na hoibre a dhein sé. Tagann dhá fhocal chugam nuair a smaoiním ar Eamon, "uaisleacht" agus "dínit". Bhí siad seo i gcónaí le tabhairt faoi deara ann, go pearsanta agus san obair a dhein sé, ar chlár raidió nó ar an teilifís agus agallamh á chur air. Táimid uilig, mar dhaoine agus mar náisiún, go mór faoi chomaoín aige.

It would be true to say that Eamon de Buitléar had many strings to his bow, or to be more musically correct, many buttons to his accordion. It is great to be able to pay tribute to him in Seanad Éireann today. If one looks back on his work as a musician, an independent wildlife film maker, an author and remembers him as a person, it is only right and fitting that this House, which he served so well, should honour him. Indeed, it was a privilege for this House that Eamon de Buitléar was a Member. It is good when we get an opportunity to recall those people who, through their greatness, ability and passion, made a significant contribution to the positive Ireland which we have today.

Many of us are of an age to remember the work Eamon did as a film maker, when we were absolutely glued to the television. It was not like watching "Fair City" or "Coronation Street". Instead, we watched the richness and wonder of the world around us and the nature that we have here. The pace of life has changed so we often do not observe, perhaps ignore, the wonderful life that is all around us. Eamon de Buitléar brought that wonder right into our sittingrooms. I always thought he must have had great patience. Like David Attenborough, he must have waited hours to get a shot of an animal or bird and had to climb cliffs to get to the action. We had a fascination with what was on the screen and a realisation of what he had to do to capture an image for us.

Without doubt he gave us a love of animals and birds. That is important because often one can ignore the richness of nature here. It is important that young people respect nature, animals and birds but his work was not simply directed at young people. One of his great strengths is that he bridged the generation gap and young and old shared an interest in his films. Nature can be viewed as a cold and clinical subject but he brought it all to life in a manner where one felt that one was present. One also felt his enthusiasm for the subject. That was part of his success as a professional film maker and one could absorb his interest in the action.

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I know that RTE paid a glowing tribute to him at the time because of his pioneering work on nature. Before his work we depended on the big picture from the jungles of Africa. Through his work we realised that small animals and birds also had a story and fascination just as good as lions, elephants and so on. Only Eamon de Buítléar could succeed in doing such a job. His work was more than a technical achievement. It was the manner in which he showed the importance of the images that he captured for us.

I shall mention Eamon the musician. We can all remember what Seán Ó Riada achieved in Irish music, particularly his album called *Ó Riada sa Gaiety*. I shall mention a little story on the matter. Last year a group travelled to Moscow and Seán Ó Sé from Cork, who sang with Ó Riada on the album, also travelled. When Seán Ó Sé arrived at the theatre he was met by a small group of Russians, who did not speak English, but wanted him to listen to their singing. They sang the songs sung by Seán Ó Sé as Gaeilge. Even though they did not have the language they learned the songs phonetically. Interestingly, they learned the songs from a tape, even replicating when Seán Ó Sé took an unusual breath during a song. I wondered how they discovered the music. People might recall Michael O’Riordan who was secretary of the Communist Party at the time. I discovered that when the CD or LP was produced he bought a number of copies, sent them to his friends in Moscow and the music turned up in a library, was rediscovered and sung to Mr. Ó Sé.

Eamon was part of the tradition known as *Ceoltóirí Chualann* which later became *Ceoltóirí Laighean*. He was a box player and played the accordion, mouth organ and bodhrán. In many ways he made playing the bodhrán respectable because he played it quietly and did not dominate the music but that was part of his dignity and nobility.

Finally, I believe that Eamon de Buítléar and his contribution will always be remembered. I attended his funeral and could sense the absolute depth of affection that people felt for him. It was infectious. That affection was not just from the people who turned out to pay their respects at the time, it was felt right throughout the country. In years to come, Eamon de Buítléar’s name will always feature when we talk about nature, wildlife, music, the Irish language or civilisation. I wish to thank his wife, Lailli, and his family for sharing Eamon with the greater Irish community which was so important. She was with him at all times and encouraged him. His work is being carried on by his family. We do not need monuments of stone; we need monuments of life. No greater tribute can be paid to Eamon de Buítléar than the fact that his family worked with him at all stages and are now carrying on the tradition. *Go raibh míle maith agaibh. Ar dheis Dé go raibh a anam uasal.*

Senator Ivana Bacik: On behalf of the Labour Party group and as Deputy Leader of Seanad Éireann, I am honoured to pay tribute to former Senator, Eamon de Buítléar. I echo the words and very eloquent tributes paid to him following his death earlier this year. I offer sympathies to his wife and five children.

As others have said, Eamon de Buítléar was best known as a famous wildlife documentary maker. His series “*Amuigh Faoin Spéir*”, “*A Life in the Wild*” and other television documentaries were extremely important in Irish society at the time. He presented Ireland’s first wildlife series. Now it is hard to imagine that there was not a well developed series of wildlife documentaries in place at the time.

Eamon was nominated in 1987 to Seanad Éireann by the then Taoiseach, as others have said, in acknowledgement of his important work in bringing information and knowledge on

nature and wildlife to an Irish population who previously never had access to same, in an Irish context. President Michael D. Higgins paid tribute to Eamon earlier this year by saying “He will be remembered as an outstanding broadcaster in both languages”. Eamon’s documentaries were made in English and Irish for the BBC, ITV and RTE so his work was truly international and bilingual.

Senator Cummins noted that Eamon donated his archive of bilingual film and paper material to NUI Galway. The university had a great launch to celebrate the occasion and was very proud to take possession of such an important archive. It shall keep the material in trust for the nation.

Eamon de Buitléar was a committed environmentalist. Other tributes described him as a public intellectual in the best sense. He was also a man of many parts whose love of Irish music has been eloquently spoken about. He had a long association with Seán Ó Riada. Eamon’s best known legacy will be his wildlife documentary series and the books he published, his collaborations with the likes of Gerrit van Gelderen, and the fact that he brought wildlife into the homes of generations of Irish people, particularly those who remember his work as children and as adults.

Finally, I offer my sympathies to his wife, children, extended family and friends.

Senator David Norris: Go raibh míle maith agat. Is onóir dom cúpla focal a rá tar éis bháis an iar-Seanadóir, Eamon de Buitléar. It is appropriate that I commence with a few words of Irish even if I stumble over them because Eamon de Buitléar was raised in an Irish speaking family. His father had a very distinguished career. He was a colonel in the Irish Army and was an aide-de-camp to Douglas Hyde, first President of Ireland - Dubhghlas de hÍde, known as An Craoibhín Aoibhinn.

Eamon continued to demonstrate a love of the Irish language throughout his life and on numerous occasions spoke Irish in the Seanad. I am about the only survivor of that period. I was elected on the same day that he was nominated and we became very good friends. To my mind, he was a perfect example of what is absolutely the best in Irish people. He was positive and I never heard him make a nasty or unpleasant comment about another person.

12 o'clock

He was committed to celebrating the beauty of the Irish landscape. We all remember those wonderful films every week, on “Amuigh Faoin Spéir”, which illustrated this. I completely agree with Senator Labhrás Ó Murchú; that team must have had the most immense patience. I remember trying to get one photograph of a fox in a Roscommon bog which took days and we never got the damn thing because it would not do what we wanted. Animals have an independent life of their own. The team of Gerrit van Gelderen and Eamon de Buitléar was superb. They were made for each other. I do not diminish in any sense the contribution of Gerrit van Gelderen, but the vision was Eamon de Buitléar’s and Gerrit van Gelderen was able to realise it in film form. They were a perfect team. In some ways, that was the first real nature programme that I remember on RTE. I do not remember anything either on radio or television before that. There may have been other programmes, but they did not make a very big impact. Eamon de Buitléar is our equivalent of David Attenborough. As most people in the early days of Irish television did not receive the BBC, they did not see David Attenborough, but they received RTE with “Amuigh Faoin Spéir”.

Eamon de Buitléar’s work in this House was distinguished, but he had so many other as-

pects to his life. He was a most engaging raconteur, as anybody who listened to him on radio is aware. He was very funny, for example, about his experiences in the pet shop. There was a curious coincidence. He was naturally musical and as far as I recall, he had three instruments – what we call the box, the bodhrán and the mouth organ – but it was in the pet shop that he bumped into Seán Ó Riada and the two became lasting friends. Eamon assisted in the foundation of Ceoltóirí Chualann, which laid the basis for a revival of what is best and purest in Irish traditional music.

Eamon de Buitléar donated his extensive archive which includes some material by his father who was also an Irish language enthusiast, that lists the names of all the Irish birds in the Irish language and gives background information on them. It is important material. I say in a positive way that I blame the distinguished lady sitting in the Visitors Gallery for that information because if I am correct, Mrs. de Buitléar is a daughter of the celebrated artist Charles Lamb who was noted for celebrating the landscape of Connemara. That was what drew Eamon to Connemara. Although a Wicklow man, he fell in love with the landscape of Connemara. It is highly appropriate that towards the end of his life he made a generous donation of wonderful material to the National University of Ireland, Galway, NUIG.

We recently had debates on the Seanad and its usefulness, or lack of, and the people, by a narrow majority, decided the Seanad was worthwhile. That is because of the existence of people such as Eamon de Buitléar. It might not be popular to say it because Mr. Charles Haughey was not a popular figure in Irish public life, but he had a good sense of humour which he could deploy at his own expense on certain occasions. He had imagination and understood artists. It was a most imaginative appointment to put somebody such as Eamon de Buitléar in the Seanad which was enriched and ennobled by his presence. I am very sorry that he has met the fate that awaits us all, but at least it was with a loving and talented family and the knowledge he must have had that he had accomplished a great deal for the land he loved.

Senator Cáit Keane: Tá áthas orm a bheith anseo inniu. As Chonamara me féin agus tá a fhios agam faoin obair agus an grá a bhí ag Eamon de Buitléar do Chonamara, mar a dúirt an Seanadóir deireannach. Tá a fhios agam freisin faoin obair atá déanta aige chun Chonamara a chur in aithne do dhaoine agus an biodiversity atá san áit sin agus ar fud na tíre a chur in iúl dúinn.

I welcome Mrs. de Buitléar and the family to the House. I sympathise with all of them on the death of Eamon de Buitléar. He was a figurehead in every household as there is not a person in the country who does not remember “Amuigh Faoin Spéir”. It gave every one of us a love of and information on what was under our feet and up in the spéir that we would not have seen or appreciated without him.

Yesterday representatives of the National Biodiversity Data Centre appeared before the Joint Committee on the Environment, Culture and the Gaeltacht. I said to myself that Eamon de Buitléar was the national biodiversity data centre before it was founded. What he has done for biodiversity, flora and fauna is incalculable. I worked in the National University of Ireland, Galway and he could not have found a better place for his memorabilia. Time is short and other speakers wish to contribute, but I wish to refer to his contribution to Irish music, Ceoltóirí Chualann, Ó Riada and all of the services he rendered in that regard. Much of his work will live on through the tapes and recordings. There will probably be an exhibition of his memorabilia in NUIG. It is unnecessary to call for such as he is held in high esteem throughout the country, let alone in the location of his personal archive. Being a Member of this House was secondary

to what Eamon had done in terms of letting the ordinary people of the country appreciate what was around them and educating them through his films, talks, writing and music. I convey my deepest sympathy to the family.

Senator Sean D. Barrett: It is a great privilege to follow my colleagues in paying tribute to the late former Senator Eamon de Buitléar and his wonderful career in promoting the country, its teanga, nádúr agus ceol. He grew up in the Phoenix Park where his father was aide-de-camp to Douglas Hyde. It must have been a source of great happiness for him that the grounds of the Áras were shared with the African plains section of the Zoo following the transfer of some land from Áras an Uachtaráin to the Zoo. They were the grounds where Eamon had played as a boy. He won Jacob's awards. Senator David Norris mentioned that he had met Seán Ó Riada which led to the formation of Ceoltóirí Chualann. The list of musicians who honoured him include Mícheál O Súilleabhán, Seán Keane, Seán Ó Sé, Peadar Ó Riada and Paddy Glackin. Peadar brought up the choir from Cúil Aodha. They were all there to honour him for his contribution to music. Senator Labhrás Ó Murchú has joined in that tribute.

I thank Eamon's wife, Laili, for sharing him, as Senator Labhrás Ó Murchú said, with the country in the amazing contributions he made in so many ways. At his funeral, Fr. Dermot McCarthy said Eamon had used his position as a Senator to awaken people to the continuing need to respect nature in all its facets. We did learn from him to appreciate nature very much. It is appropriate that he gave all of his artefacts, film archives, music and books to NUIG. The new campus, along the banks of the Corrib, is an appropriate place to honour the late Eamon de Buitléar because he loved Connemara and the Corrib flows down from Connemara on its way to Galway city, which is probably the capital of music in this country because great music comes out of every doorway there. We all look forward to visiting the archive when the public has access.

On a personal note, they were filming one day on the Broadmeadow, which is between Malahide and Swords, and my brother and his two small boys, as they were then, were passing by. On the patience that Senator Ó Murchú has referred to, they involved the two boys in making the movie and it became one of the cherished items in their own archive. They got to know Eamon and Gerrit as a result. It was an example of the immense patience that one must have in filming nature.

It was also an example of the wonderful contrast to television which has so many in-studio programmes and does not get out nearly enough. I suppose, in studying economics, I was always jealous of those such as Eamon because we would be heading off to the library and they would be getting field trips to the Wicklow Mountains or the Burren. Maybe that is what made Eamon de Buitléar such a happy person who communicated so much of that happiness and joy. He was doing exactly what he wanted.

The country is indebted to him on so many fronts - furthering our music, promoting the language, preserving the best of our heritage and making us aware of the beauties of nature which, perhaps, we cherish a little more than when Eamon started to make the programmes. Gabhaim buíochas le Eamon agus lena chlann.

Senator Jim D'Arcy: I heard on the radio this morning that a painting by Francis Bacon sold for several million euro. I do not know whether it was for €20 million or €60 million.

Senator David Norris: Approximately €150 million.

Senator Jim D’Arcy: When it comes to millions, I am like the rabbits in *Watership Down*, in that I cannot count past five, but I know it was many millions of euro. In any event, that was a great deal of money, but Eamon de Buitléar was priceless.

He was known, back to front, upside down and inside out, by every school child in Ireland because of the advent of the overhead projector and film strips. The teachers had great difficulty putting in the film strips and they used to spend most of the lesson trying to get the film strip right. First, it came up back to front, then it came up inside out, then it came upside down, and then, eventually, one got it right and one had the treasure. As the education spokesperson in the Seanad for Fine Gael, his contribution as a one-man environmental lobby, in Ireland and in the schools, over many years was beyond measurement. In addition, he livened up many a Friday afternoon when the teacher said, “Go down to the staff room and get the projector” because if the projector arrived with the light working, one had a great half-hour of a nature lesson and then a discussion followed by the 2 p.m. to 3 p.m. lesson in art in which the children drew the scenes that Eamon de Buitléar presented on his film strip. His contribution to the natural environment and nature studies in schools was beyond compare. The teachers got as much pleasure out of the lessons as the children because they were learning as much. They were starting from scratch as well.

In the case of one stiallscannán, mar a tugadh orthu, when we put it on - one is supposed to prepare lessons but sometimes one went off on the hoof - he introduced Bull Island to me for the first time. It was, in his presentation and mellifluous voice, as exotic as the Aurora Borealis. One was transported to a different world. It was the same with the Burren.

We thought all beach birds were seagulls until he came along and started telling us about waders and oystercatchers. Every year, he would ask “Why does the oystercatcher stand on one leg?” and then pause. Then he would add, “Because if he lifted it, he would fall.”, and every year the children would laugh in the same way. He was, as I said, priceless. Ní bheidh a leithéid arís ann.

Senator Trevor Ó Clochartaigh: Is mór an onóir dom a bheith in ann seasamh anseo agus ómós a thabhairt d’fhear uasal, ildánach. Chas mé leis roinnt uaireanta agus an rud a théadh i gcion ar dhuine faoi ná gur duine uasal ceart a bhí ann, duine a labhródh le chuile duine. Fáiltím go háirithe roimh Lailli atá anseo inniu. Is breá an rud duine éigin eile as an gCeathrú Rua a fheiceáil anseo sa Seanad.

Tá sé ráite ag mo chomhleacaithe romham cé chomh ildánach agus a bhí Eamon, ach ó mo thaobh féin de, chuir mise aithne air mar Ghaeilgeoir paiseanta agus mar cheoltóir den chéad scoth. Tá trácht nach beag déanta ar a bhfuil déanta aige ó thaobh na scannánaíochta, ó thaobh leabhair, mar údar, agus maidir leis an chaoi a ndeachaigh sé i gcion ar aosóg na hÉireann trí chéile ó thaobh an ceannródaíochta a bhí aige mar scannánaí dúlra. Mar dhuine a chaith tréimhse ag plé le cúrsaí teilifíse, sílim gur ceann de na dúshláin is mó atá ann ná scannán a dhéanamh faoi chúrsaí dúlra. Tá smacht ag duine ar chúrsaí reatha agus ar chúrsaí drámaíochta, ach le cúrsaí dúlra tá an duine ag brath ar na hainmhithe a bheith ag imirt an cluiche leis. Tógann sin foigne damanta agus scil faoi leith. Ceapaim nach n-aithnítear an scil a bhaineann le scannánaíocht dúlra agus cé chomh ceannródaíoch agus a bhí Eamon sa réimse sin, mar gheall ar a fhoighne agus an dua a bhain le sin. Ní hamháin sin, ach rinne sé éascaíocht ar an eolas seo d’aosóg na hÉireann agus muintir na hÉireann trí chéile, tríd na leabhair a d’fhoilsigh sé agus mar sin de.

Bhí baint nach beag ag Eamon le cúrsaí ceoil. Tharla gur éirigh liom dul chuig an tórramh i gCill Mhantáin agus bhí sé ar nós dul chuig ceolchoirm. Bhí sé go hálainn ar fad agus bhí ceoltóirí móra na tíre ar fad i láthair le ceol agus amhrán in ómós dó. Ba léir ó na deora a bhí á sileadh ag daoine an oíche chéanna agus ón gáire a bhí acu chomh maith an oiread meas agus ómós a bhí acu don obair a bhí déanta ag Eamon ó thaobh an cheoil de. Bhí sé gníomhach i mbunú Cheoltóirí Chualann agus Ceoltóirí Laighean. Rud eile a tháinig trasna tríd a raibh le feiceáil an oíche sin ná nach fear é Eamon a choinneodh a chuid buanna agus scileanna aige féin. Ba fear é a roinn a chuid scileanna agus eolas le gach duine a bhí timpeall air. Ba léir go ndeachaigh sé i gcion ar go leor ceoltóirí óga, ó thaobh cé chomh hoscailte agus a bhí sé a chuid fonn a roinnt agus a chuid eolas a roinnt ó thaobh casadh na huirlisí agus mar sin de. Is mór an méid é sin.

Ba fear mór bádóireachta a bhí ann chomh maith. Bhí an-ghean aige ar húicéirí na Gailimhe agus ar an seoltóireacht traidisiúnta agus ba mhinic é le feiceáil ag seoltóireacht. Go deimhin, tá sin le feiceáil fós ina chlann agus ina mhac Cian agus an clann ar fad a théann amach ag seoltóireacht sna báid móra. Bhí baint mór aige leis an cultúr sin a chaomhnú agus a neartú agus leis na báid sin a dhéanamh suas agus a choinneáil ag seoladh. Dá bhrí sin, tá sé spéisiúil go raibh duine den ildánacht sin anseo sa Seanad. Sílim go léiríonn sin ceann de na rudaí is tábhachtaí a bhaineann le Seanad Éireann, go mbeadh daoine in ár láthair atá in ann dearcadh éagsúil a thabhairt ar an saol, atá in ann saibhreas a thabhairt leo ó thaobh cúrsaí cultúr, cúrsaí teanga, cúrsaí nádúir agus araile. Cinnte, níl aon dabht faoi, fad agus a bhí Eamon anseo, gur thug sé leis é sin.

Thar mo cheann féin, ba mhaith liom buíochas a ghlacadh le Lailli as ucht teacht anseo inniu agus ár gcuid smaointí a thabhairt don chlann ar fad go mba mhór an gift é Eamon de Buitléar do mhuintir na hÉireann. Táim cinnte go mba mhór an gift é don chlann chomh maith. Ba seod náisiúnta é i ndáiríre píre, leis an obair a rinne sé. Tá sé fíor nach mbeidh a leithéid arís ann. Beidh daoine cosúil leis, a dhéanfaidh rudaí éagsúla, ach duine faoi leith a bhí ann. Aon uair a chas mise leis, meangadh gáire a bhí aige. Ní raibh an t-uafás aithne agam air, ach aon uair a chas mé leis, ba dhuine an-sóisialta, an-deas, an-chabhrach agus an tacúil a bhí ann. Is mór an pribhléid a bheith in ann a bheith anseo inniu le buíochas a ghlacadh leis as an méid a rinne sé agus le ómós a thaispeáint don mhéid a thug sé dúinn.

Senator Paschal Mooney: I am honoured to have the opportunity to pay a small tribute to the late former Senator Eamon de Buitléar, primarily because I had the pleasure to serve with him in the House between 1987 and 1989. Rather interestingly, when he first came to the Seanad, he did not sit in this august Chamber because its ceiling had all but collapsed at that time. Instead, he and the other Senators were relocated to the anteroom. It is also interesting that, in light of the size of the latter, all 60 Senators and the staff of the House could be accommodated there. Sittings were held in the anteroom for between 12 and 18 months and this was also my first experience of serving in the Upper House.

The late Eamon de Buitléar sat in Chamber itself when the ceiling had been restored and he made a number of major contributions here. One of his first contributions was on the Fisheries (Amendment) Bill, which dealt with the dreaded issue of fishing licences. That matter seems to have been consigned to history but it gave rise to major controversy at the time. One of his major contributions was to the debate An Blascaod Mór National Historic Park Act which was brought before the House by the then Taoiseach, Charles Haughey. It was one of those occasions on which a Taoiseach came before the House. Rather than farming out responsibility to a Minister of State - as seems to have been the case with subsequent taoisigh - Mr. Haughey

came before the House on occasions when legislation pertaining to his Department was being dealt with. Mr. Haughey made a number of inspired choices when nominating people to membership of the House. Not only did he nominate Eamon de Buitléar, he also put forward for membership Brian Friel, John Magnier and a number of other distinguished individuals who served here during his term of office.

I took the opportunity to read one of the late Eamon de Buitléar's contributions to the debate on the An Blascaod Mór National Historic Park Act, which primarily related to the Great Blasket Island, during which he stated that the first occasion on which he met Seán Ó Riada, the latter's only concern was that he and his wife and Mr. de Buitléar and his wife, Laili, should repair to the Blasket Islands in order to repopulate them. Eamon de Buitléar indicated that he felt this was an unrealistic aspiration and that if he had gone to the Blaskets, the chances were that he would wake up one morning to news that Ó Riada had absconded. He also spoke on national heritage legislation and on a number of debates relating to heritage, primarily in the context of his area of expertise. At one stage, a debate took place in respect of the broadcasting of the proceedings of the Houses. It seems so long ago now but some of the then Members of the Upper House suggested that in the broadcasts of proceedings up to that point, the Independent Senators seemed to be attracting the lion's share of the coverage. Mr. de Buitléar made the observation that there were Independents in the House and that there were also real Independents in it. In other words, he saw himself as not only being independent of the party political system but also of the university Senators. He saw himself as a true Independent and obviously that was reflected in the contributions he made during his short time here.

Like previous speakers, I take this opportunity to convey my sympathies to Eamon de Buitléar's wife and five children. Ar dheis Dé go raibh a anam.

An Leas-Chathaoirleach: As Leas-Chathaoirleach, I wish to be associated with the expressions of sympathy and I wish to acknowledge the presence of Eamon de Buitléar's wife in the Distinguished Visitors Gallery. I grew up in a very remote rural area on the Sheep's Head Peninsula, with which Senator Barrett is quite familiar, and I am aware of how things have changed for young people in recent times. I am also aware of the contribution Eamon de Buitléar made to rural life. Times used to be much simpler and nowadays children are obsessed with iPhones, iPads, Google, etc. Eamon de Buitléar's devotion to the Irish countryside was a labour of love throughout his life.

I may have something in common with the late, great Eamon de Buitléar, namely, that we were both appointed to Seanad Éireann by Charles J. Haughey, he in 1987 and I on 27 October 1989. I cannot say that my appointment was as inspired as that of Mr. de Buitléar.

Senator Jim D'Arcy: Of course it was.

An Leas-Chathaoirleach: I believe Eamon de Buitléar was a gentleman. I also believe he was unassuming, low key and very committed to his work to protect the environment and nature. I have absolutely no doubt that the Seanad benefited greatly from his informed and objective contributions on legislation relating to the environment and on the legislation relating to fishing licences to which Senator Mooney referred. There is no doubt that, through his television programmes, documentaries and publications, Mr. de Buitléar leaves behind a rich legacy in respect of nature, cultural history and the environment. I did not know the man but, as Leas-Chathaoirleach, I am glad to have had the opportunity add my sympathies to those of other Members. I ask colleagues to stand for a minute's silence as a mark of respect.

Members rose.

Sitting suspended at 12.25 p.m. and resumed at 1.30 p.m.

Oireachtas (Ministerial and Parliamentary Offices) (Amendment) Bill 2013: Committee Stage

Section 1 agreed to.

SECTION 2

An Cathaoirleach: Amendment No. 1, in the name of Senator David Norris, has been ruled out of order.

Senator David Norris: I would like to raise an issue in that regard.

An Cathaoirleach: The amendment is out of order.

Senator David Norris: I am sure it is, but I intend to speak to it when we come to deal with the section.

An Cathaoirleach: The Senator will be able to do so when we come to deal with it.

Senator David Norris: That is what I am going to do. I am just looking for some information. Can the Cathaoirleach tell me what is meant by “declaratory in nature” and “outside the scope of the Bill”?

An Cathaoirleach: I am not discussing my rulings in the House.

Senator David Norris: Is there any forum in which we can discuss them?

An Cathaoirleach: I have ruled the amendment out of order and will allow the Senator to ask a question on the section.

Senator David Norris: I thank the Cathaoirleach, but everything he has said thus far is declaratory in nature. Everything I have said is “declaratory in nature”. Everything said in this House is declaratory in nature. These words could be used to rule anything out of order.

An Cathaoirleach: I have made my ruling.

Senator David Norris: On my amendment being outside the scope of the Bill, the scope of the Bill is determined when it has passed. Part of our obligation is to change the scope of the Bill, even the principles.

An Cathaoirleach: I have made my ruling on the amendment.

Senator David Norris: I understand the Cathaoirleach is bound by his rulings and I am not challenging them, but they are daft and do not assist in the process of democracy. I am not blaming the Cathaoirleach for this.

Amendment No. 1 not moved.

An Cathaoirleach: Amendments Nos. 2 and 5 are related and may be discussed together, by agreement. Is that agreed? Agreed.

Government amendment No. 2:

In page 3, line 16, after “paid” to insert “, on request,”

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): This amendment provides that the parliamentary activities allowance, what we are now calling the former leader’s allowance, shall be payable following a request from a parliamentary leader of a qualifying party or a qualifying Independent Member. This is already the case on an administrative basis because Members and party leaders are required to provide bank details to receive moneys from the central fund. However, it is appropriate to reflect this requirement in the legislation. Some people may decide they do not want to ask for this allowance. For that reason, it is not paid automatically and one simply needs to request it.

Senator David Norris: I will be addressing this issue in some detail later. This is more pettifoggery. All of these allowances should be abolished because we will simply have more paperwork. We have to request the allowance and keep accounts and bills for six years, in other words, we will have to operate an accountancy department in our offices. My personal assistant works around the clock and does overtime for which she does not get paid because there is no provision for it. This is an utter waste of time on paper pushing. The way to address the issue is not by tripping around in sending in requests and producing documentation for a slight amount of money.

On the €60,000 parties in the Dáil receive and the €42,000 received in the Seanad, do they collect it when they pass Go, as in a game of Monopoly? Do they have to vouch for their members?

Deputy Brendan Howlin: They are required to do so annually.

Senator David Norris: I look forward to seeing the vouching. It will be the biggest laugh on Earth. Will the details be published or will we have to make freedom of information requests?

Deputy Brendan Howlin: They will be published.

Senator David Norris: That is all right. This is something I will harp on about during the debate. Time and again, Governments have conspired against Independent Members to put them at a disadvantage. It was the same during the presidential election. A hoo-ha was made about the Constitutional Convention, but it voted by a majority of 95% - the highest proportion in any vote - to recommend changes that would democratise the process of presidential elections which are also loaded financially against Independents. This is a situation in which Independents are at a significant disadvantage. That is wrong.

Deputy Brendan Howlin: This is a simple amendment which requires people to apply for money rather than receive it automatically. It is reasonable that one does not get money without asking for it. If people want to decline the payment, they do not have to apply for it. That is the only import of the amendment.

On the notion that successive Governments have focused negatively on Independent Members, any rational reading of the truth would show the opposite. For parties, the allowance has

always been entirely vouchable, audited and published. For Independent Members, it was none of these things. If a Member wanted to take his or her allowance and go on holidays with it, nobody could say “boo” because it was not vouched or audited. Our experience for several years of the various tribunals of inquiry and expert panels and our involvement in international best practice indicates that this is not the way to go. People demand transparency in these matters. The legislation is simple and does two things. First, it reduces the allowance for everybody by 10%, in line with the general reductions and, second, it asks that everybody be on the same playing field in terms of accountability. We will get to those particular amendments in due course.

Senator David Norris: All of this would be obviated if we were given the rate for the job, full stop. That is what I am proposing in the amendment that was ruled out of order. I do not want to have to apply for this or that allowance. I do not want to have to keep records. I probably will not apply for any of these allowances because I could not be bothered. I find the whole thing insulting.

As I said, we should get the rate for the job. The public will be outraged in any case by our getting all these allowances, the history of which I set out on Second Stage. They were a fudge - we all knew they were a fudge - by the then Minister for Finance to make up for the fact we did not take what was due under certain pay agreements. I did not agree with that strategy at the time nor with a number of associated economic measures, including benchmarking. The Minister is still relying on a form of benchmarking, with his reference to these decreases being in parallel with what is being done in the Civil Service. Civil servants were granted exactly the same allowances under exactly the same regime and, as a result of their trade union activities, they were streamed into their core pay.

I am not suggesting that these allowances be streamed into our core pay without an analysis. What I am suggesting is that the Minister give consideration to abolishing all the various allowances and instead pay us a flat rate for the job, as identified by an external adjudicator. Another speaker remarked that this was done in Britain and the result was an increase in salary. So what if that is the case? It might just as easily go down. I want the rate for the job, no more and no less. I do not want bogus allowances and I do not want to spend the rest of my life filling out forms. That is not why I am here. I am in this House to use my intellect to try to help in refining legislation. That is my last word on the issue at this point.

Senator Maurice Cummins: I have sympathy with Senator Norris in some of the issues he mentioned, particularly the principle of paying the rate for the job. Some years back, Deputies’ pay was aligned to principal officers’ salary, but those rates have reduced significantly in the meantime. I have no objection to the provision in the Bill that Members must request that the money be paid. As it stands, we have a situation where Independent Deputies are talking on various local radio stations about how they are getting €42,000 without even asking for it.

Senator David Norris: That is reason enough to abolish the payment.

Senator Maurice Cummins: While those Deputies might well be giving all of that €42,000 to charity, the fact remains that they can go anywhere and do anything with that money without any requirement to prove it has been spent in line with their parliamentary duties.

All Senators should be treated equally. That fits in with Senator Norris’s notion of paying the rate for the job.

Senator David Norris: Absolutely.

Senator Maurice Cummins: However, it behoves us to point out that this legislative Chamber is equal to its Dáil counterpart. When we are being treated differently from our colleagues in the Lower House in respect of the expenses regime, we must ask that the situation be examined. The Minister sympathises with us in our plight in terms of constituency offices. As we have outlined, our constituency is the whole country. We are not looking for anything extra here. A myth went out during the referendum on the abolition of the Seanad that Senators were seeking an additional €5,000 each. Nothing could be further from the truth.

Senator David Norris: According to one newspaper, €500,000 was being sought.

Senator Maurice Cummins: I saw a figure of €300,000 being touted, which worked out at €5,000 for each Senator. That claim was entirely untrue. We want to be able to claim the allowance to which we are entitled under the same conditions as apply to Members of the other House. There should be some mechanism to achieve that. We might well be accused of trying to feather our nest, but that is not the situation. We are simply asking for parity of esteem. In my view, we deserve it.

Senator Jillian van Turnhout: I am fully supportive of the requirement that Members must request payment of the allowance. In fact, that is precisely what I and my colleague, Senator Mac Conghail, argued for on Second Stage. We asked that the scheme be vouched and audited.

Deputy Brendan Howlin: And renamed.

Senator Jillian van Turnhout: Yes, and renamed. However, together with a need for clarity, there is equally an issue of parity of resources. The notion has gone out in all the public discourse on the subject that Independent Members are getting extra money that is denied to others. In fact, it is very clear that the first five Members of a party receive almost double what an Independent Senator gets. We are expected to draw down resources and access expertise with that money. To put it simply, we do not have the resources parties have.

As I said, I agree with the principle that allowances should be requested. However, I have a difficulty with the returning of the unspent portion. As it stands, those of us who wish to return an unspent portion of an allowance are put in the position of having to gift it back to the State, which seems wrong to me. It does not send out the right message. I publish my expenditure figures, but the fact I have to write a cheque to the Minister to gift the unspent portion does not seem in keeping with an appropriate accounting system. The Bill should be dealing with issues like that.

Senator Paschal Mooney: I fully endorse everything the Leader said in regard to the apportioning of allowances to Senators. The Minister indicated that he was encouraged by those Senators who set out their stall on this issue on Second Stage. I am pleased to put my view on the public record without equivocation and ambiguity, or concern for what the reaction might be in certain sections of the media. As the Leader said, this is about fair play and a level playing field. It is not about anything else.

We cannot continue with the situation as it is. The Minister has changed the law this year, leaving us in a very difficult position as to how this money is to be spent. I have no difficulty whatsoever in returning unspent money to the Exchequer, but I am also of the view that it is a

legitimate aspiration for us as Senators to be given some form of allowance for the work we carry out in our offices, whether that office is located in our home or in a rented premises. It is no more and no less than Deputies are getting. All it would require is an amending piece that refers to county of residence as opposed to constituency. That would not have any constitutional implications as far as I am aware and would, in a simple and straightforward way, get over the obstacle of our essentially representing the country as a whole as legislators rather than an individual constituency.

Senator Tom Sheahan: I support the points made by the Leader. I also endorse the provisions in the Bill regarding the furnishing of receipts and so on. Something that springs to mind as we discuss this issue is the phenomenon of certain multimillionaires in this country pointing out that they do not need children's allowance, while still going to the trouble of claiming it.

Senator David Norris: How does the Senator know that?

Senator Jillian van Turnhout: One has to apply in respect of a first child.

Senator David Norris: How do we know these people are getting the allowance?

Senator Tom Sheahan: They are saying they do not need it, but they are not giving it back. That is why I agree with a vouched system of receipts. If money is being claimed, there must be a paper trail to support it.

Senator David Norris: In deference to my colleagues who want to speak on other amendments, I will save my comments for the debate on the section.

Deputy Brendan Howlin: I listened very carefully to Senators from across the House on Second Stage and they made a coherent case in respect of a workspace being recognised. Senators know that I am more than sympathetic to that point of view. It is not encompassed in this legislation but a coherent case has been made for it.

With regard to the point made by Senator Jillian van Turnhout, which I have raised in discussions on the matter, perception is everything. One is given an allowance and, if one is frugal in the management of the allowance and does not spend it all due to being prudent and frugal and one returns the unspent amount, it almost looks as if one has over-claimed. That is something I am trying to address. There are different ways of doing it. One can claim a lesser amount in the beginning, but that involves making an annual determination on the matter. It is a matter of handling the returns at the end and the balancing statement one is required to do. I am giving attention to that. I have seen cases in which the media presented it as though someone had over-claimed, had been caught out and was required to pay back some amount. If the person has spent the lot, the job's over.

Senator David Norris: That is how the newspapers will report it.

Deputy Brendan Howlin: That is true of both Houses and I am conscious of it. We will see if we can improve it. These are points that are much more general than the amendments before the House.

Amendment agreed to.

Government amendment No. 3:

13 November 2013

In page 4, line 11, after “elected” to insert “or nominated”.

Deputy Brendan Howlin: This is a minor amendment to correct an inconsistency of language between paragraphs 10(i)(b)(i) and 10(i)(b)(ii). Both paragraphs should refer to Senators elected or nominated to Seanad Éireann.

Amendment agreed to.

Senator Paul Bradford: I move amendment No. 4:

In page 4, between lines 17 and 18, to insert the following:

“(2) Where a member of a qualifying party ceases to be a member of the Parliamentary Party of that party, no allowance shall be payable in respect of that member and the allowance payable under this section shall be reduced proportionately.”.

The word “fairness” has been used frequently in the debate over the past 20 minutes with regard to other sections. I want the Minister to reflect on that word in respect of this amendment. The amendment is about the transparency and accountability that the Minister espouses and the reform he aspires to bring about. It is also about fairness and democracy. We spoke on this matter last week and there has been a debate over the past number of months about the desirability and fairness, or otherwise, of the parliamentary party’s keeping an allowance in respect of Members who are no longer within the parliamentary party. While no Minister or spokesperson has put it officially on the record, on the margins the argument is made that parliamentary parties and party structures have invested time, resources and finance in the election of particular candidates and, therefore, there should be some entitlement for the parliamentary party to retain the allowance payable in respect of Members no longer within the parliamentary party. The Minister is aware that under this legislation, the parliamentary activities allowance, previously called the party leaders’ allowance, shall not be used to recoup election or poll expenses incurred for the purposes of any election. The unofficial reason we get - that somehow we owe it to the party to allow our money to stay with the party - is in respect of election costs heretofore, but moneys cannot be spent on that.

Then we ask what the moneys can legally be spent on. I refer to expenses as interpreted by the proposed Bill. The money that the Fine Gael, Labour or Sinn Féin parliamentary parties wish to keep in respect of former members are supposed to be spent on general administration of the parliamentary activities of the qualifying party, the provision of technical and specialist advice, research and training, policy formulation, etc. I ask the Minister to reflect upon the fact that no parliamentary party, under any circumstances, can validly claim it is expending the allowable expenses on Members that are no longer within the parliamentary party. Is the Fine Gael Parliamentary Party spending money on research and training for me? Is the Labour Party spending money on policy formulation in respect of Deputy Patrick Nulty? Is the Sinn Féin Parliamentary Party spending general administrative costs on the parliamentary activities of Deputy Peadar Tóibín? It is impossible for a parliamentary party to suggest the expenses it is entitled to claim under these headings can be spent on Members who are no longer within the parliamentary party.

We all appreciate that when the democratic revolution was promised after the general election, there was a huge appetite for reform, a greater understanding of the financial problems facing the country and a demand for fairness, accountability and transparency. I appreciate what the Minister said on the record last week and what we all said in the heat of political battle. If

the Bill means anything in respect of reform and even pretends to be transparent and portray itself as accountable or any way fair, it makes no political sense, no financial sense and no moral sense to allow a parliamentary party to keep taxpayers' money in respect of persons who are no longer within it. We spoke earlier about the need for support, research and training of all Members and the Leader spoke strongly on the need for equality. I agreed with him.

In an ideal world, I suggest that the allowance payable in respect of an Independent Senator be payable to those who find ourselves with that status. However, the amendment is not going that far and simply says an allowance should not be paid for expenses that cannot be incurred. There is no way a qualifying parliamentary party can claim to validly spend moneys under the appropriate headings for people who are no longer within the political party. It defies common sense and logic to suggest otherwise. How can a party purchase support services in respect of Members no longer within the parliamentary party? How can a party justify paying a salary in respect of duties to support someone who is no longer in it? In the overall scale of the national budget we are talking about a modest sum, but my estimate is that in a full calendar year €500,000 or €600,000 of taxpayers' hard-delivered moneys are being handed over wrongly and unfairly to parliamentary parties.

Senator Fidelma Healy Eames: The figures are multiplied over three years.

Senator Paul Bradford: I plead with the Minister, wearing his reform hat and as someone who champions fairness and equality, to take the only reasonable step and the only politically acceptable step. Any citizen of the country who reflects on this section and amendment would take steps to ensure the taxpayer does not pay over money in respect of people who are no longer in a political grouping. If we were paying a stipend to a community organisation in respect of its membership list or paying a community hospital in respect of the number of people in the hospital, we would not pay in respect of people who are not in those positions.

Senator Fidelma Healy Eames: Hear, hear.

Senator Paul Bradford: On the basis of decent politics and mature politics, the Minister must give serious consideration to bringing about this necessary, desirable, fair, accountable and transparent change. Any other decision makes a mockery of our pretence to espouse reform, fairness and accountability.

2 o'clock

It is possible for a political party, under this legislation, to legally spend moneys allocated by the taxpayer on behalf of Members who are no longer within the parliamentary party. It makes a joke of the legislation and politics. We have had enough of that over the past 20 or 25 years. The Minister has a difficult job - it is probably more difficult than that of anybody else in the Government - in trying to balance the books and bring about savings. The sort of politics which has brought us to this state of ultimate despair and a broken economy will continue if we do not change this legislation.

Senator Fidelma Healy Eames: Yes.

Senator Paul Bradford: I appeal to the Minister to look beyond the bailout exit towards a new type of politics and economics based on the meaning of words holding true, with people saying what they will do. We must live up to the reform agenda and take on board a very simple amendment that a child in first class should be able to understand. It would mean an allowance

would not be given for a group or person no longer within a parliamentary group or association.

Senator Fidelma Healy Eames: The Minister is very welcome. I have read the record and last week he responded to me on this issue on Second Stage. I concur with everything said by Senator Bradford, who has put the argument extremely well. I ask the Minister to reconsider his views from last week in light of the fact that this Bill does not deal with electoral expenses. I put it to the Minister last week that my party of origin in this House, Fine Gael, continues to get €21,045 for both me and Senator Bradford, as well as approximately €40,000 per person per year in the Dáil, for people who lost the party whip arising from the abortion Bill vote. We were not allowed to speak freely and our party changed its policy from the day we were elected. Our hands were tied.

I will deal with a number of issues. This Bill does not deal with electoral expenses and the costs incurred by a party contributing to an election. That was the Minister's thinking last week in his response to me and Senator Bradford, which I accept, but in view of our study of the Bill since, it has become clear that these moneys are disbursed by the citizens of this country through the Exchequer to political parties for their members to be supported in parliamentary activities. It is to be used for research, personnel and press support. In our parliamentary system, how is it proposed that a Member losing a parliamentary party whip - due to a break in policy from the time of election, for example, as in our case - would fund research, personnel and press support? What makes the parliamentary party from which they have been expelled or have walked away entitled to the money?

Senator Bradford indicated that we should be honest and do things differently. Just because things have been done in a particular way in the past does not make it right. When the Government took office, for the first time there was a title of Minister for Public Expenditure and Reform, and the intention was to do things differently in the interest of the taxpayer. It is not right or just that a party continues to get money for any of us who have been expelled from the party because the money is no longer being spent on us as Members. Could I justifiably expect Fine Gael to support my research or press activities? I could not, yet the party is getting money in my name, and it will get €21,045 per year for at least the rest of the term of this Government. That amounts to approximately €50,000 if it goes to the full term. How is that right or just? It is not.

Technically, we are elected and we deserve to be supported in our parliamentary activities. We are not even making a case for the money to be given to us, even though, under the principle of parity of esteem, as mentioned by Senator van Turnhout, it should be. The taxpayer and the people who elected us expect us to do as good a job as anybody else. We are asking that the moneys be refunded to the Exchequer - or rather, not taken from the Exchequer in the first place. Could we ask anything more honourable? When the public hears what is going on here in the fullness of time, unless there is a change, they will see this as an insider job for parties that are minding themselves. Parties can chuck out Members but they will still get paid for them. Where is the justice in that?

Senator Bradford alluded to the fact that we sometimes hear of doctors on the medical card scheme who continue to get an allowance for patients who have died. In such cases the State has not done its job in tracking the issue and the doctor has not done his job properly by reporting the deaths. There is no honesty in such cases. We want a different type of politics. We could use the allowance to be more effective parliamentarians, but we are asking the Minister to accept our amendment and return the money to the people of Ireland through the Exchequer.

I ask the Minister to honour this wish.

Senator Maurice Cummins: My understanding of the party leaders' allowance is that it is based on the number of elected Oireachtas Members who are affiliated to the party at a general and Seanad election. The elections are decided by the people in the case of the Dáil and an electorate in the case of the Seanad. That is the reason for the continuance of these allowances, as the people were elected as members of the parties. That is the point of time at which people decided that certain politicians should be Members of this or the other House.

Senator John Crown: It is good to see the Minister again, and I thank him for providing me with some of my better lines during the Seanad referendum campaign.

Deputy Brendan Howlin: I am glad to be of assistance.

Senator John Crown: I am grateful for the Minister's honesty.

Deputy Brendan Howlin: I told the Senator he could use the comments as they were my views.

Senator John Crown: I appreciate the fact that the Minister gave me explicit permission to do so. I am very supportive of the Bill in its broad thrust and I am also supportive of the idea of reducing parliamentary expenses, with everything vouched for. I can think of no reason that would not be good public policy. It is impossible to comment on these issues without considering the broader context of the subvention of the allowances of political parties in general, of which this is a small part. This is simply inexcusable in a country that has until recently been in a bailout programme and where an additional 7% to 8% of the health service's operating budget must be curtailed over a short period. We already have a health service that is groaning under cuts of 10% to 15% from the baseline taken at the beginning of the financial crisis.

I wish to comment on some figures that are already in the public domain. The total amount of funding via party leader's allowances and political party expenses to the two parties of Government last year amounted to approximately €8 million, which would have exactly coincided with the savings we estimate would have been made if the people had decided to abolish the Seanad. If saving that money is so important there is a simple constitutionally valid way of effecting the saving right now, which is to end the policy of giving money to political parties. The money is given to them at the beginning of an Oireachtas parliamentary term and, in truth, is used for the benefit of the party not for the benefit of the Republic or the citizenry and which is used with the primary aim of getting the party re-elected in the next election. This is the bigger context which must be seen.

In that regard I am very supportive of the amendment which is being advanced now because as a first step to it, it is inexcusable – I am sure it is entirely legal and our colleagues are correct in pointing out that the allowance is paid on the basis of seats that were elected – but the reality is that it is supposed then to subvent the activities of the people who were elected. If they are no longer working for the party it is inappropriate that the money would still be retained by the party. One could ask whether the parties are stuck for money. The figure I have for the total amount of money, the balance carried forward to 2013 by Fianna Fáil, Fine Gael, People Before Profit, Sinn Féin, the Green Party, the Labour Party and the Socialist Party, is €8.3 million in expenses this year. What is the necessity for that large financial endowment? Why should we continue to give the money for expenses if the money is not yet paid? What is happening is that the parties are developing war chests which are, through the artifices of creative account-

ing, used to subvent other non-directly campaign related activities of the party when the next campaign comes up in one to two years' time. I know I will be criticised for saying that. That is entirely wrong. That €8 million would have paid for anti-melanoma drugs and the newer breast cancer drugs for every patient in the country who needs them and who may well be denied them. That amount of money would run the entire cancer drug budget for the country for approximately six to eight weeks. There is something really wrong. There has been speculation as to whether I would join the Reform Alliance. I see they have joined me by taking my seat today.

Senator Paul Bradford: Senator Crown is our leader. He should get a leader's allowance.

Senator John Crown: I have not joined the Reform Alliance but I wish the group well. It is right for its members to highlight this aspect of the Bill, which is absurd. The amendment should be accepted in good faith and as a token of goodwill towards the reform process. I do not believe the Minister will ever follow my suggestion that we cease to fund parties in their entirety but it would be a gesture of goodwill for the Government to accept the amendment and to say that this little bit of money which in truth it has no right to have anymore, will be returned to the State, which is emerging from a bailout programme at a time when we are trying to find €666 million in health service cuts in the hope that it will make a little dent in the shortfall.

Senator Susan O'Keeffe: Senator Crown is having a moment of naivety which is rare for him. He has suggested that there is no cost to the running of a political system. There is, of course, like anything else and the idea that at any point a Government would choose not to pay any money to keep the political system running is absolutely absurd. The point I raised on Second Stage is that if one were to go down that road, it is fine and we will have a Galway tent, a Tipperary tent, a Mayo tent and every other sort of tent where people put their hands in their pockets and pay political parties. We would not know who is paying and we would not know how much. For Senator Crown to inflate figures and make it look as if millions of euro are being spent in a wasteful fashion to run political parties is-----

Senator David Norris: The figures are facts, they are not inflated.

Senator John Crown: On a point of information, these are official figures.

Senator Susan O'Keeffe: Excuse me.

Senator John Crown: I have not inflated them.

An Cathaoirleach: Senator O'Keeffe should be allowed to speak without interruption.

Senator David Norris: As long as she tells the truth.

An Cathaoirleach: Senator Crown has spoken already.

Senator Susan O'Keeffe: The truth, as Senator Norris knows well enough and Senator Crown equally well knows, is that one does need to fund political parties. One does need to fund a political system.

Senator David Norris: And Independents.

Senator Susan O'Keeffe: Otherwise, as I have said, we are back to the Galway tent. Could I please finish my point? Senator Crown chose to put the biggest amount of money in the

headline in order to make the point that we should not fund politics as we know it. If Senator Crown wants the privatisation of politics he is in the wrong place.

Senator Jillian van Turnhout: I stand to speak in favour of the amendment. It is a fair one. The proposal is that the money would be returned to the State. I could understand, for example, if the Minister were to say that a time period must elapse such as three months or six months after someone ceases to be a member of a party because it is necessary to make arrangements. Some sensible arguments have been made. To that effect, if someone joins a party mid-term such as in the case of Senator Eamonn Coghlan, could the Minister advise whether the allowance continues to go to the individual Member or if it goes to the party? That would help my understanding of how it would happen on the other side of the argument.

Senator David Norris: A number of questions arise. It seems to me that this is a very honourable amendment because my colleagues are not looking for money for themselves. The money would go back to the Exchequer. They are not looking for any personal, pecuniary advantage. In fact, they would be giving an advantage to the State.

With regard to elections, in the other House people are not just elected because they are a member of a political party. Very often parties try to slide candidates in and the public rejects them. They will go for somebody whom they know has worked locally. It is not true to say that one is elected just because one happens to be a member of Fine Gael, Sinn Féin, the Labour Party or Fianna Fáil. Since one is elected by the people, not by the party, it seems to me that it remains the money of the person elected and not the party's money, in particular when one has left a party over an issue of conscience. It would make a cat laugh the way the Government has behaved because it was pushing hard for the abolition of the Seanad and going towards a Nordic situation. My two colleagues would have remained in the party in any of those Nordic countries because there are freedom of conscience votes on such issues. One cannot have it every way. It is important to put the figures on the record because they are large and they are correct. Senator O'Keeffe-----

Senator Susan O'Keeffe: I do not have a problem with the figures but with the way they were put on the record.

An Cathaoirleach: Senator Norris should be allowed to speak without interruption.

Senator David Norris: I do not have a problem. Senator O'Keeffe might not like to be continually interrupted but I love it because it means that I am hitting home. Senator O'Keeffe should please interrupt.

Senator Susan O'Keeffe: Does Senator Norris know there is no issue with-----

An Cathaoirleach: Senator Norris should speak through the Chair.

Senator David Norris: Yes, certainly. All the allowances are a nonsense. The Minister never replied to my point. Could we get to a stage where we get the rate for the job and no bloody allowances at all? That is what I would like to see. Let us analyse the provisions. The public should know what is proposed and the amounts of money involved. There is €64,368 in respect of each of the first ten Members elected and then apparently there are second-class Dáil Members. I do not know how they become second class but they only get a mere €51,493 and if one is a total dud at the bottom of the class and never opens one's gob except to be pushed through the lobbies-----

Senator Susan O’Keeffe: That is absolute nonsense.

An Cathaoirleach: Senator Norris should be allowed to speak without interruption.

Senator David Norris: Senator O’Keeffe just said I was talking nonsense but I am happy to withdraw it if she explains why.

An Cathaoirleach: Senator Norris should speak to the amendment.

Senator David Norris: The final allowance is approximately €25,000. It is the same in the Seanad, with €42,089 for the first five. The rest receive €21,000, which is what we get. Perhaps the Minister might respond to this and I do not mean to be antagonistic. I know that sometimes I have an abrasive personality, although the Minister does, too. Is there any possibility the Government would give consideration to abolishing allowances altogether and establishing an international commission to determine the appropriate rate for the job? I am tired tagging in-----

An Cathaoirleach: The Senator is being repetitive.

Senator David Norris: This is not being repetitive. I am tired of all the bureaucratic measures and the fact that we are showing the public that we do not trust ourselves. The point I made earlier which I will repeat because it is significant and on which the Minister appeared to agree with me was that if one were to return money honourably, the newspapers would pick up on this and declare that one had been overpaid and had to return the money. We will never satisfy the media. The only way to remedy the matter is to abolish the whole damn lot and give us a rate for the job.

My colleagues in this House are not required to resign if they are expelled from their parties and they were expelled. I know it is said they excluded themselves, but that is a Jesuitical construct, similar to Roman Catholics not being able to take communion and excommunicating themselves if they believe this, that or the other. I have always thought that is hogwash in the Roman Catholic Church and also believe it is hogwash in political parties and the proof of the pudding is in the fact that they do not have to resign. If they are kicked out of a party, they do not have to resign and can continue as Members of this House claim benefits accruing to them as Members. If they want to kick them back to the Government, more power to them. I admire them for doing so, but I do not think the Government has the right to hold on to them.

Senator Sean D. Barrett: We should consider the amendment proposed very seriously. There has been a change of allegiance from Fine Gael and the Labour Party to the Independent benches. In changes of circumstances and to deal with abuses the Minister and his predecessor had to deal with it, we are required to submit expense claims annually. One must declare one’s residence as being X number of kilometres from Leinster House and the forms are very precise. Should it not also be the case that the Taoiseach and the Tánaiste should declare annually how many members are in their parties? The Leader has mentioned that the data are based on what they are at the date of the election, but we should update them in cases where people’s circumstances have changed. The same is true of distances from Leinster House. This would allow people who might have made a mistake in the first instance to correct it. It is a pity this system did not operate in the past. It is also a pity it does not operate in other countries because it seems to give rise to many difficulties. We might consider, in the context of changes of allegiance, ensuring the returns of the leaders of the parties reflect this.

Members are listed in official documents as the Members for Galway, Wexford or wherever

else. As party allegiance is not mentioned, they are not locked into it in that sense. There is also a change in the implied contract between the leaders of parties and the taxpayer. We are applying that principle to medical cards and so forth. At one stage we thought that doctors had X number of patients on their books, but the Minister is now most energetically and assiduously searching to determine if these numbers still apply. If a person enrolls in a university but with the passage of time is no longer attached to that university, should the institution continue to be paid for him or her? The same question applies to patients and hospitals. Recently the Minister for Transport, Tourism and Sport took some money back from Dublin Bus because he felt it had not complied with its public service obligations. As the company had not delivered on the original contract, a deduction was made. There have been cases in which firms received grants from IDA Ireland and when their circumstances changed, they refunded the money to the Exchequer. I would support the amendment on these grounds. Circumstances can change. We should not freeze costs from the date of the last election.

Deputy Brendan Howlin: I fully respect the bona fides of Senators Paul Bradford and Fidelma Healy Eames in proposing the amendment. I listened to the arguments they made last week and again today. Under the proposed amendment the calculation of the parliamentary activities allowance payable to the party leaders of qualifying parties would be recalculated in the event that Members leave the parliamentary party, with the amount payable being reduced, presumably, on a permanent basis. The current system, as the Leader of the House said, provides that the allowance payable to a parliamentary party leader is calculated on the basis of the numbers of Members elected or nominated to the Dáil or the Seanad on the day of the election. This amount is fixed at the time of the election or following a by-election and not affected by Members leaving or joining the party subsequently. It is very important to note that the amount is determined by the vote of the people, not the subsequent decision of an individual Member to change allegiance or by any group within a party to expel somebody. It is determined on a fixed day by a vote of the people. Following the calculation of the allowances payable, parties are allocated their resources, inclusive of the allowances, which they use to employ researchers, support staff, press officers and so forth, commission research or obtain other supports in order to fulfil the real duties of a parliament which are demanding. These commitments are entered into on the understanding there is a fixed sum of money available for the duration of the Parliament. If the amount payable to a party could be decreased by Members resigning from it or losing the whip, as suggested by the Senators in their amendment, parties would find themselves with contracts in relation to both the employment of staff and the engagement of services that they could no longer honour, with an accompanying loss of jobs and a party potentially facing legal or contractual challenges. I do not believe that would be a desirable outcome and it is certainly not one I would support.

The parliamentary activities allowance is the means through which we support the parliamentary system. I listened carefully to the comments of Senator John Crown who believes there should be no such thing as supporting the parliamentary system. Some of us have been here for a long time and seen what the alternative in funding politics - that is, through donations; corporate donations, in particular - has done to the political system. Perhaps the Senator is more familiar with the North American system than I am, in which Members of Congress are in permanent fund-raising mode and there is no prospect of standing for, much less being elected to, either House of the US Parliament without an incredible war chest given, no doubt, with no conditions attached by generous donors, be they corporations or wealthy individuals. We have seen electoral battles in the United States where incredible war chests had to be deployed. That is not the political system I support or want. That is why when I was the Minister for the

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Environment in the mid-1990s, I brought forward the Electoral Act to ensure full transparency in the election expenses of all individuals who contested an election. I also put a cap on these expenses in order that there would not be the capacity for those with the deepest pockets or the best and wealthiest friends to fund their way into Parliament. That is not the system we have in place.

Progress reported; Committee to sit again.

Gas Regulation Bill 2013: Committee and Remaining Stages

SECTION 1

Acting Chairman (Senator Jillian van Turnhout): Amendments Nos. 1 and 22 are related and may be discussed together.

Government amendment No. 1:

In page 5, line 19, after “Act” to insert “, other than section 46,”.

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): This amendment is considered necessary because there is no provision in primary legislation to provide for ministerial approval for the making of a pension scheme by Irish Water. The amendment is not really connected to the issue of the disposal of the energy business of Bord Gáis. Rather, it is an enabling amendment to allow the company’s subsidiary, Irish Water, to get on with creating a pension scheme for its workers.

The Water Services Act 2013 provided for the establishment of Irish Water as a subsidiary of Bord Gáis and registered under the Companies Acts. Irish Water was formally incorporated in July 2013 and has assumed responsibility for the roll-out of the domestic metering programme. Also in July, the Government approved the general scheme of a water services (No. 2) Bill, currently being drafted by the Office of the Attorney General. It will provide for the transfer of responsibility for the provision of water services from the 34 county and city councils to Irish Water. It was originally intended to include provisions regarding ministerial approval of a pension scheme in this second Bill. However, Irish Water has commenced recruiting staff to manage the delivery of the metering programme and in preparation for its future role as the water services utility. Accordingly, it is proposed to bring forward Irish Water’s superannuation provisions and include them as an amendment to the Gas Regulation Bill 2013. This will ensure we establish a statutory basis for ministerial approval of any pension scheme established by Irish Water at the earliest possible date.

Senator Trevor Ó Clochartaigh: We support the pension rights of any workers in any organisation, be it the private or the public sector. However, I reiterate that Sinn Féin is opposed to the way Uisce Éireann has been privatised. We feel this is not the way to go. There are many concerns about this which have been echoed by many in city and county councils across the State. There are significant concerns which we discussed when that Bill came through the Houses. I reiterate our opposition to the privatisation of the Irish water system

Senator Sean D. Barrett: I have a small point regarding the amendment’s attempt to insert

“other than section 46”. The version of this Bill I have has no section 46 and that might have to be examined. I do not know if there are other versions in the foyer. I will check that now.

Deputy Pat Rabbitte: Senator Ó Clochartaigh will have the opportunity to make his substantive point about the decision to dispose of the energy business of Bord Gáis. This is probably not the place to do so. This is purely to enable the subsidiary company, Irish Water, to establish a pension scheme for its staff and deal with the pension issues of its workers as it thinks fit. Section 46 refers to section 46 of the Water Services Act 2013.

Acting Chairman (Senator Jillian van Turnhout): I direct Senator Barrett to amendment No. 22 for clarity.

Amendment agreed to.

Section 1, as amended, agreed to.

Sections 2 and 3 agreed to.

SECTION 4

Senator Mark Daly: I move amendment No. 2:

In page 7, after line 34, to insert the following:

“(f) the retail energy market in Ireland, assessing whether or not sufficient competition and regulation is in place to ensure prices are kept low for consumers.”.

The issue is about the costs and prices and I would like to hear the Minister’s comments on that. The energy market in Ireland is far from competitive and the prices are far from low.

Deputy Pat Rabbitte: I regret that I cannot accept this amendment, and Senator Daly will understand why, for the same reason I outlined in the Dáil, that information on the retail energy market is already well reported on and published on an ongoing basis by the Commission for Energy Regulation. As Minister I am regularly updated by the regulator on developments and the state of competition in the market. I have no statutory function regarding the regulation of either the electricity or gas markets. Responsibility for regulation of those markets is a matter for the Commission for Energy Regulation, CER, which is an independent statutory body.

The functions of CER include protecting the interests of final customers including the disadvantaged and the elderly. The regulator is also responsible for promoting efficient, orderly, fair and competitive markets for monitoring competition. Many of these regulatory functions originate from the regulator’s obligations under European legislation. Prices in the electricity retail market are fully deregulated. Prices in the gas market are also deregulated with the exception of gas prices charged by Bord Gáis Energy to its domestic customers. Therefore, customers can avail of competitive offerings from suppliers. Prices are set by suppliers and are commercial and operational matters for them. I have no statutory function in the setting of electricity or gas prices.

With the deregulation of electricity and most gas retail prices, the primary focus of the regulator, in so far as prices are concerned, is its joint oversight with the Northern Ireland regulator of the all-island single electricity market, its scrutiny of electricity and gas network costs, which feed into retail prices, and its general consumer advice and protection role. The regulator is

accountable to the Oireachtas, and the commissioners have appeared before the committee on a number of occasions on a range of issues.

The regulator is required to report annually to the European Commission detailing its economic role and associated policy developments. This report includes details of developments regarding competition in energy markets. In addition, in carrying out its consumer protection and marketing monitoring roles, the regulator presents to me an annual report on the development of competition in the market, including prices and commentary on developments. All these reports are publicly available on the CER website.

Electricity and gas costs in Ireland are influenced by various drivers, with global gas and oil prices being the most significant factors. Among other drivers, over which we have little or no control, are exchange rate movements, the cost of capital, our small size, our geographic location, our low population density, our population dispersal, EU legislative obligations and unfavourable international events. Given the scope of these diverse drivers and their upward impact on prices, clearly there is limited potential scope for protecting Ireland from external energy price shocks.

Amendment, by leave, withdrawn.

Section 4 agreed to.

SECTION 5

Question, "That section 5 stand part of the Bill", put and declared carried.

SECTION 6

Question, "That section 6 stand part of the Bill", put and declared carried.

SECTION 7

Question, "That section 7 stand part of the Bill", put and declared carried.

SECTION 8

Question, "That section 8 stand part of the Bill", put and declared carried.

Section 9 agreed to.

SECTION 10

Question, "That section 10 stand part of the Bill", put and declared carried.

SECTION 11

Question, "That section 11 stand part of the Bill", put and declared carried.

SECTION 12

Question, "That section 12 stand part of the Bill", put and declared carried.

SECTION 13

Question, "That section 13 stand part of the Bill", put and declared carried.

SECTION 14

Question, "That section 14 stand part of the Bill", put and declared carried.

SECTION 15

Question, "That section 15 stand part of the Bill.", put and declared carried.

SECTION 16

Question proposed: "That section 16 stand part of the Bill."

Senator Trevor Ó Clochartaigh: Cuirim céad fáilte roimh an Aire. Tá Sinn Féin ag cur in éadan an athrú atá á dhéanamh anseo agus an príobháidiú atá á dhéanamh ar acmhainní na hÉireann agus acmhainní Stáit. We tabled a number of amendments that have not been accepted because they conflict with the principle of the Bill as read a Second Time. It is amusing because most amendments conflict with Bills because we disagree in principle with what is happening. The Government intends to hive off a profitable company, which made a gross operating profit of €79.4 million in 2012 compared to €44.3 million in 2011. We fundamentally disagree with its privatisation. We compare what is envisaged here with what happened in the case of Eircom. There are concerns with regard to how the network will develop in the future. We are not the only ones who disagree with the move by the Minister and his Department to privatise the company. At its annual conference in 2012, the Labour Party voted to totally reject the sale of State assets. Obviously, however, the Minister is paying no heed to his party's view on the issue. It is disappointing that the Government and this Labour Party Minister are forging ahead with the troika-sponsored policy of privatisation, the sale of State assets, etc. In that context, the asset in question is profitable and should remain in State ownership in order that the revenue to which it gives rise might be used to further develop the system here.

Deputy Pat Rabbitte: We thrashed out the principle of this on Second Stage. I do not want to be obliged to willingly dispose of State assets and certainly not before each individual asset is subjected to scrutiny. In the context of any broad disposal of State assets, I would rather we were not in this position. However, on Second Stage I explained at some length why we find ourselves at this current pass. Senator Ó Clochartaigh and his colleagues in the Lower House have the luxury of telling me what they are against, but they never inform me as to what they are for. If I agreed that we should not dispose of the energy business of Bord Gáis Éireann, would Sinn Féin outline for me how I might meet the requirements set down by the troika? What should I sell? It does not make any sense for the Senator to indicate that he opposes the sale of a profitable State company. Does he believe anybody would be interested in buying unprofitable State companies or that we would obtain good prices for such entities?

In the context of where we started in respect of this matter - namely, with a requirement placed on us to come up with a figure of €5 billion through the sale of State assets, to be put towards writing down our debt - we eventually settled on a figure of up to €3 billion. We negotiated a facility to the effect that 50% of the proceeds from the sale would be used for productive reinvestment purposes, job creation and so on. This represents tremendous progress in the context of where we were previously. I look forward with considerable excitement to whoever purchases the energy part of Bord Gáis Éireann's business becoming a serious player in the energy market. I am of the view that said market needs as much competition as possible. We learned a lesson from the mistake made in respect of the global privatisation of Telecom Éireann some years ago. As a result, we are retaining in public ownership the networks and distribution busi-

ness of Bord Gáis Éireann. That is the significant aspect. If a company purchases the energy division of Bord Gáis, there is every prospect that it will create additional employment and increase market share. Such a company will not be coming into this country to lose market share. We need as much competition in the marketplace as possible.

I am obliged to deal with the real world as it confronts me. Compared to some of the alternatives for realising proceeds from the sale of State assets, the decision being made in this regard could be very good for the country, for consumers and for what, I hope, will be a growing workforce within the company.

Acting Chairman (Senator Jillian van Turnhout): I remind Senator Ó Clochartaigh that we are on section 16, which deals with the transfer of assets, etc., to the network company. We are not engaging in a wider Second Stage debate.

Senator Trevor Ó Clochartaigh: Absolutely. In the context of what the Minister said, it is important to note that Sinn Féin Senators regularly provide the Government with alternatives. All I need do in this regard is to refer him to our pre-budget submissions for this year and previous years. We have put forward options - which have been costed by the Department of Finance - for dealing with the difficulties relating to the finances of the Government in a much more forthright way that would not result in the sale of State assets. We have called on the Government to consider the options we have put forward but it has obviously decided not to do so, which is a shame.

Anyone who is familiar with the private sector will be aware that it is common practice for profitable companies to take over unprofitable ones. I do not believe, therefore, that there is much logic to the Minister's argument in this regard. When a company gets into difficulty, a larger concern with expertise of a certain type will often take it over and make it profitable. Businesses tend to turn things around. Companies in the private sector do not usually sell off their cash cows - namely, divisions that are making a profit - at giveaway prices to rivals that might make them even more profitable. That is why there is very little logic to what the Minister is attempting to do here. I believe he knows that, as do the members of his party who voted a particular way at its 2012 annual conference. The Minister is aware that by privatising Bord Gáis, he will also be privatising Uisce Éireann. Of course, the latter is being made a subsidiary of the former.

The Minister knows the arguments and he is being somewhat disingenuous in his replies. Sinn Féin's alternative exists and has been costed. We can forward it to him if he wants to read it.

Senator Tony Mulcahy: I support the Minister and I will not listen to lectures from Senator Ó Clochartaigh in respect of the sale of companies in the private sector. Unprofitable companies are generally sold for 10% or 20% of what they are worth and then asset-stripped. Ultimately, those involved probably make some sort of profit. The idea here is to make a profit from the sale of a profitable company. We will then have money to invest in job creation and pay down some of our debt. That is what we are seeking to do.

Deputy Pat Rabbitte: Senator Ó Clochartaigh is wrong in all three of the points he made. In the first instance, this is not a budgetary matter. We are not discussing the budget. I read Sinn Féin's pre-budget submission. We might discuss the latter at another time, perhaps over a pint in the Dáil bar. What we are discussing here is the contract that was entered into at the

time of the bailout in 2010 and the requirement to dispose of State assets, not for the purpose of budgetary reconciliation but rather so that the State can make a contribution to the cost of the bailout programme. Greece and Portugal were required to make similar contributions under their programmes. This is not a budgetary matter.

The Senator pointed out that private sector companies regularly take over loss-making concerns. What is happening in this instance is not a takeover. Mr. Chopra and Co. are not interested in taking over Bord Gáis. They do not have the slightest interest in Bord Gáis. Rather, they are interested in applying a contract that was entered into in 2010 and in ensuring that this country makes a contribution to the cost of its bailout programme. It is not a takeover situation and the latter would not arise in this instance in any event.

I am not privatising Uisce Éireann. Where in the name of God did Senator Ó Clochartaigh get that idea? Rather, I am growing Uisce Éireann as a commercial State company within the Bord Gáis stable. The result of this will be, happily, that more people will be employed in that stable after this event takes place than is the case now. For example, up to 2,000 people will be involved in the installation of water meters. The company will expand its services from there. People in Dublin and in Galway, the city in which the Senator resides, have recently been at the sharp end in the context of difficulties with regard to accessing safe and clean water. As already stated, Irish Water is a company within the Bord Gáis stable.

3 o'clock

It is a commercial company designed to increase employment and to do what we should have done a long time ago in regard to the wasting of water and our approach to water conservation and protecting clean water supplies. This city is on a knife edge because during all the years when the country was, to quote a former Tánaiste, "awash with money", we did not invest sufficiently. I am not privatising Uisce Éireann. It will be a State-owned commercial company.

Question put and declared carried.

Section 17 agreed to.

SECTION 18

Acting Chairman (Senator Jillian van Turnhout): Amendments Nos. 3 and 16 are related and may be discussed together by agreement. Is that agreed? Agreed.

Government amendment No. 3:

In page 13, line 21, to delete "and".

Deputy Pat Rabbitte: These are minor drafting amendments. There is no point in trying to present them as substantive.

Amendment agreed to.

Section 18, as amended, agreed to.

Sections 19 and 20 agreed to.

SECTION 21

Acting Chairman (Senator Jillian van Turnhout): Amendments Nos. 4 to 7, inclusive, 9 to 14, inclusive, and 23 to 32, inclusive, are related and may be discussed together by agreement. Is that agreed? Agreed.

Government amendment No. 4:

In page 14, line 10, after “BGÉ” where it firstly occurs to insert “and its subsidiaries”.

Deputy Pat Rabbitte: This group of amendments seeks to perfect the legislation. It does no more than correct an omission in the earlier legislation where, instead of referring to Bord Gáis Éireann, it ought to have referred to Bord Gáis Éireann and its subsidiaries. The amendments are technical and are proposed in order to provide greater clarity regarding the assets, licences, rights, liabilities and staff of the company and its subsidiaries which may be included in the transfer plan, and to provide that assets may be transferred to the energy company from the company or its subsidiaries.

Senator Trevor Ó Clochartaigh: We oppose this section as we opposed previous sections, but I will not rehearse the same arguments. We take the same ideological position.

I am interested in learning the company’s responsibilities under the Official Languages Act agus an dualgas atá ar eagraíocht Stáit feidhmiú as Gaeilge. How will that be affected by the transfer? Will the responsibility on companies to implement a scheme under the Act remain with the new company and, if so, will it have to prepare a new scheme? This issue was raised with me by an elderly person who had tried without much success to do business as Gaeilge with Bord Gáis. This individual subsequently contacted the Department of Communications, Energy and Local Government to ask whether anybody in the company could work as Gaeilge and was told there was nobody. The person was eventually cut off because the bill was not paid. It is a serious issue even if it appears minor in the context of the bigger picture. What plans are in place under the restructuring to deal with citizens who want to do business as Gaeilge?

Deputy Pat Rabbitte: I understand the *status quo* obtains. There is no change as regards doing business with Bord Gáis Éireann. The energy business, whatever it is called, will be a private company governed by the same rules applying to any private company. I am sorry if the Senator was told by my Department that nobody in Bord Gáis was competent to discharge the issue raised as Gaeilge. I do not know whether he has reliable information on whether that actually happened, because it is not the case that nobody in Bord Gáis can handle a query as Gaeilge. It should not have happened.

Senator Trevor Ó Clochartaigh: I am relating what the person said to me. I may forward the correspondence on the issue to the Minister. This is an issue that arises when we sell assets to a private company. I understand that once a company is privatised it is no longer covered by the Official Languages Act.

Deputy Pat Rabbitte: The new company?

Senator Trevor Ó Clochartaigh: The privatised company.

Deputy Pat Rabbitte: There is a dual company as before.

Senator Trevor Ó Clochartaigh: It is a step backwards from the situation in which citizens were able to do their business through the medium of Irish. Perhaps this is an issue that needs to be considered in future regulations. It could be taken into consideration in the ongoing

review of the Act by the Minister of State at the Department of Arts, Heritage and the Gaeltacht, Deputy McGinley. Any company that takes over a semi-state body should be responsible for continuing to provide a seirbhís as Gaeilge. It is not just an onerous task; it is good business and a positive marketing initiative.

Amendment agreed to.

Government amendment No. 5:

In page 14, line 12, to delete “the” where it firstly occurs and substitute “a”.

Amendment agreed to.

Government amendment No. 6:

In page 14, line 17, to delete “or” and substitute the following:

“(c) all or any of the assets, licences, right and liabilities and staff (whether or not subject to exceptions) of, or relating to a specified function or business activity of, one or more than one subsidiary of BGÉ, or”.

Amendment put and declared carried.

Government amendment No. 7:

In page 14, line 18, to delete “both of”.

Amendment agreed to.

Section 21, as amended, agreed to.

SECTION 22

Acting Chairman (Senator Jillian van Turnhout): Amendment No. 8 is ruled out of order because it is conflict with the principles of the Bill.

Amendment No. 8 not moved.

Section 22 agreed to.

Sections 23 to 25, inclusive, agreed to.

SECTION 26

Government amendment No. 9:

In page 15, line 27, after “transfer” to insert “to the energy company”.

Amendment agreed to.

Government amendment No. 10:

In page 15, line 28, after “BGÉ” to insert “and its subsidiaries”.

Amendment agreed to.

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Government amendment No. 11:

In page 15, line 28, to delete “to the energy company”.

Amendment agreed to.

Government amendment No. 12:

In page 15, line 29, after “transfer” to insert “to the energy company”.

Amendment agreed to.

Government amendment No. 13:

In page 15, line 29, after “BGÉ” to insert “and its subsidiaries”.

Amendment agreed to.

Government amendment No. 14:

In page 15, line 30, to delete “to the energy company”.

Amendment agreed to.

Question, “That section 26, as amended, stand part of the Bill”, put and declared carried.

SECTION 27

Acting Chairman (Senator Jillian van Turnhout): Amendment No. 15 in the names of Senators David Cullinane, Trevor Ó Clochartaigh and Kathryn Reilly is ruled out of order because it is in conflict with the principle of the Bill.

Amendment No. 15 not moved.

Question, “That section 27 stand part of the Bill”, put and declared carried.

SECTION 28

Government amendment No. 16:

In page 16, line 21, to delete “and”.

Amendment agreed to.

Section 28, as amended, agreed to.

Section 29 agreed to.

SECTION 30

Acting Chairman (Senator Jillian van Turnhout): Amendment No. 17 in the names of Senators David Cullinane, Trevor Ó Clochartaigh and Kathryn Reilly is ruled out of order because it is in conflict with the principle of the Bill.

Amendment No. 17 not moved.

Senator Mark Daly: I move amendment No. 18:

In page 16, after line 33, to insert the following:

“(2) Any disposal by BGÉ of its shares in an energy company shall not result in an increase of the ratio of net debt to shareholder’s equity of BGÉ.”.

This amendment relates to the issues of debt and the disposal of shares. I understand the Minister dealt with the same matter in the Dáil, but I am interested to hear the Minister’s view on it.

Deputy Pat Rabbitte: The Senator has raised an important point in this amendment. The bottom line, however, is that in order to deliver on our troika commitments, to which I referred earlier, and, more important, in order to fund our programme for jobs and economic recovery, we must proceed with the sale of Bord Gáis’s energy business. I cannot, therefore, accept an amendment which seeks to delete the provision that empowers Bord Gáis to dispose of its energy business subject to ministerial consent.

The Government is committed to retaining the gas network business in State ownership as critical national infrastructure. In doing so, it is incumbent on us to ensure this important business remains well funded and with an investment grade credit rating so that it can continue to invest and to provide dividends to the State as shareholder. The Government, therefore, will ensure there is an appropriate gearing level in Bord Gáis’s networks business following the sale of the energy business. This is not, however, a matter that is amenable to provision in primary legislation. To do so, while possibly well intentioned, could result in a situation whereby borrowings to fund necessary infrastructure investment are precluded. That would not assist the company, nor would it deliver security or value to energy consumers and citizens.

While I am not in a position to accept the amendment, I assure the Senator that this matter will be kept firmly under review by me and my colleague, the Minister for Public Expenditure and Reform, on the advice of our officials and the NewERA shareholder executive.

Amendment, by leave, withdrawn.

Acting Chairman (Senator Jillian van Turnhout): Amendment No. 19 in the name of Senator Mark Daly is ruled out of order as it involves a potential charge on the Exchequer.

Amendment No. 19 not moved.

Senator Mark Daly: I move amendment No. 20:

In page 16, after line 33, to insert the following:

“(2) BGÉ shall not dispose of the assets of Irish Water.”.

This amendment relates to the broader issue of the disposal of State assets, which we discussed on Second Stage. Our concern is that, in some cases, we are selling assets which account for only one month’s borrowing. As Senator Ó Clochartaigh pointed out, where an asset is making a profit, it does not seem wise to sell it. This amendment seeks to prevent the sale of Irish Water. If it is accepted, any proposal for such a sale would require amending legislation and, thus, the approval of the House, rather than being within the remit of the Government alone.

Senator Trevor Ó Clochartaigh: I support the amendment and expect the Minister to do the same in the earlier intervention whereby he stated categorically that he is not in the business of selling off Uisce Éireann. This amendment would copperfasten the position that Bord Gáis Éireann cannot dispose of the assets of Irish Water and they will be kept in State ownership. Will the Minister clarify the Government's stance in this regard?

Deputy Pat Rabbitte: I can only repeat the categorical assurance I have already given. We are not setting up a commercial State company to run water services on the basis that we are going to privatise them. Similar to the gas networks, our water assets are critical national infrastructure. Irish Water has therefore been established as a fully State-owned subsidiary of Bord Gáis Éireann and there is no intention, now or in the future, to dispose of it or its assets.

As Senators are aware, my colleague, the Minister for the Environment, Community and Local Government, Deputy Phil Hogan, will bring a new water services Bill before the Oireachtas in the coming months. I understand an outline of the draft scheme of that Bill has been published on his Department's website. I am advised that the matter raised in the Senator's proposed amendment would be more properly addressed in this forthcoming water services legislation. On that basis, I cannot accept the amendment.

Amendment, by leave, withdrawn.

Question, "That section 30 stand part of the Bill", put and declared carried.

NEW SECTION

Government amendment No. 21:

In page 16, after line 33, to insert the following:

"Taxation of chargeable gains

31. (1) Sections 617 and 631 of the Taxes Consolidation Act 1997 shall not apply to any transfer to, or vesting in, an energy company under *section 26(a)* and *Schedule 3*.

(2) Section 623 of the Taxes Consolidation Act 1997 shall not apply where, on a disposal of an energy company in accordance with *section 30*, the energy company ceases to be a member of a group of companies (within the meaning of section 616 of that Act) of which BGÉ is a member."

This amendment relates to a taxation matter and is designed to avoid a potential anomaly in the treatment of capital gains tax on the proceeds of the sale of Bord Gáis. Under existing tax rules, the pre-sale of its energy assets by Bord Gáis into a subsidiary energy company, as provided for in the Bill, will automatically be subject to relief from capital gains tax under section 617, dealing with group relief provision, of the Taxes Consolidation Act 1997.

However, when the subsidiary is subsequently sold, a degrouping charge is automatically triggered under section 623 of the 1997 Act and the capital gains tax liability falls upon the subsidiary at the point of sale completion rather than on Bord Gáis. This essentially means that the liability would fall on the purchaser rather than the seller, which would be most unusual. The amendment is structured specifically to disapply the group provision for the pre-sale restructuring to provide absolute clarity that Bord Gáis will be liable for all capital gains tax relating to the restructuring of the energy business. This will provide clarity for all parties to the sale and

ensure the appropriate capital gains tax is paid to the Revenue Commissioners. My Department consulted with the Department of Finance and the Office of the Attorney General on the drafting of this amendment. I am satisfied it ensures the best outcome for the Exchequer.

Amendment agreed to.

Sections 31 to 45, inclusive, agreed to.

NEW SECTION

Government amendment No. 22:

In page 32, after line 16, to insert the following:

“Further amendment of Water Services Act 2013

46. Part 2 of the Water Services Act 2013 is amended by inserting the following section after section 18:

“Superannuation

18A. (1) As soon as may be after the coming into operation of this section, the subsidiary shall prepare and submit to the Minister a scheme or schemes for the granting of superannuation benefits to or in respect of members of staff of the subsidiary.

(2) Every such scheme shall fix the time and conditions of retirement for all persons to, or in respect of whom, superannuation benefits are payable under the scheme, and different times and conditions may be fixed in respect of different classes of persons.

(3) The subsidiary may at any time prepare and submit to the Minister a scheme amending or revoking a scheme previously submitted and approved under this section.

(4) A scheme or amending scheme submitted to the Minister under this section shall, if approved by the Minister with the consent of the Minister for Public Expenditure and Reform, be carried out by the subsidiary in accordance with its terms.

(5) Every scheme made under this section shall make provision for appeals.

(6) A superannuation benefit shall not be granted by the subsidiary to or in respect of any of its staff who are members of a scheme under this section and no other arrangement shall be entered into for the provision of any superannuation benefit to such persons on their ceasing to hold office, other than in accordance with such scheme or schemes submitted and approved under this section or an arrangement approved by the Minister and the Minister for Public Expenditure and Reform.

(7) The Minister shall cause every scheme submitted and approved under this section to be laid before each House of the Oireachtas as soon as

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may be after it is approved, and if either such House within the next 21 days on which that House sits after the scheme is laid before it, passes a resolution annulling the scheme, the scheme shall be annulled accordingly, but without prejudice to anything previously done thereunder.

(8) In this section ‘superannuation benefit’ means a pension, gratuity or other allowance payable on resignation, retirement or death.”.”.

Amendment agreed to.

Schedules 1 and 2 agreed to.

SCHEDULE 3

Government amendment No. 23:

In page 37, line 4, to delete “of BGÉ”.

Amendment agreed to.

Government amendment No. 24:

In page 37, line 5, to delete “of BGÉ”.

Amendment agreed to.

Government amendment No. 25:

In page 37, line 10, after “BGÉ” to insert “, a subsidiary of BGÉ or both”.

Amendment agreed to.

Government amendment No. 26:

In page 37, line 13, to delete “of BGÉ”.

Amendment agreed to.

Government amendment No. 27:

In page 37, line 14, to delete “of BGÉ”.

Amendment agreed to.

Government amendment No. 28:

In page 37, line 18, after “BGÉ” to insert “, a subsidiary of BGÉ or both”.

Amendment agreed to.

Government amendment No. 29:

In page 37, line 30, after “BGÉ” to insert “or a subsidiary of BGÉ”.

Amendment agreed to.

Schedule 3, as amended, agreed to.

SCHEDULE 4

Government amendment No. 30:

In page 38, line 4, to delete “BGÉ”.

Amendment agreed to.

Government amendment No. 31:

In page 38, line 5, to delete “of BGÉ”.

Amendment agreed to.

Government amendment No. 32:

In page 38, line 12, to delete “by BGÉ”.

Amendment agreed to.

Schedule 4, as amended, agreed to.

TITLE

Acting Chairman (Senator Jillian van Turnhout): Amendment No. 33 has been ruled out of order as it is in conflict with the principle of the Bill.

Amendment No. 33 not moved.

Question, “That the Title be the Title to the Bill”, put and declared carried.

Bill reported with amendments.

Question, “That Report Stage be taken now”, put and declared carried.

Bill received for final consideration.

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

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): We had the principal debate on whether to sell the energy business of Bord Gáis on Second Stage. I thank those Members of the House who contributed to the processing of the Bill which clears the way for the sale of the energy business. Contrary to the commentary people may have read in the public press, the intention is to proceed with the sale. By this I do not mean proceeding with the sale at any price. It is the intention to honour our commitment that the energy business of Bord Gáis be disposed of. I believe the ultimate outcome will be a good one for the Exchequer and the country in terms of the issues raised about competition, a better deal for consumers and a significant additional competitor in the marketplace. I thank the House for enacting the legislation expeditiously.

Senator Tony Mulcahy: I thank the Minister and my colleagues for their contributions. I wish the Minister well in the pursuance of the sale. I welcome another competitor coming into the market. There is plenty of room for more competition.

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Senator Trevor Ó Clochartaigh: I thank the Minister for giving of his time in the House. Unfortunately, we do not agree on this issue. We do not agree on a number of issues, but we will still debate them fairly. The fundamental and ideological move of selling Bord Gáis Energy, fuelled by the austerity agenda of the troika, is the wrong one. There were other options which Sinn Féin put to the Government. The budgetary scenario is linked with the fiscal scenario and the sale of assets could have been avoided. At its national convention in 2012 the Labour Party called for this not to be done. It is not a good day for the State and it is very disappointing that the Bill has been passed. We hope the Government has no further plans to sell off profitable State assets such as this one which was making a profit for the State and should have been kept in State ownership.

Senator Mark Daly: I thank the Minister for coming to the House to take Second, Committee and Report Stages of the Bill. As always, I enjoyed the debate.

Question put and declared carried.

Sitting suspended at 3.30 p.m. and resumed at 4 p.m.

4 o'clock

Electricity Transmission Network: Motion

An Cathaoirleach: I welcome the Minister for Communications, Energy and Natural Resources, Deputy Rabbitte, to the House.

Senator Rónán Mullen: I move:

That Seanad Éireann calls on the Government to introduce legislation to regulate the construction and siting of and associated matters connected with high voltage electricity transmission lines in Ireland, in particular to make provisions for the placing of such high voltage electricity transmission lines underground where physically possible.

I welcome the Minister to the House. We stand on the brink of a project unprecedented in scale and geographic spread in the history of the Irish energy sector. Currently, EirGrid has in various stages of planning projects including the Grid West project in Connacht, the Cork to Kildare project and, in collaboration with Northern Ireland Electricity, it is proposing to build a North-South electricity interconnector through Meath, Cavan and Monaghan. In all these projects it is proposed to construct high voltage power cables suspended from massive pylon towers, and the proposals are based on overhead lines only, with no consideration given to an underground cable alternative.

In January 2008 the Department of Communications, Energy and Natural Resources, as it was known, published the All-Island Electricity Grid Study, outlining a strategy to generate 42% of our electricity requirement from renewable resources. The report suggested this would require a major upgrade of the electricity transmission network, with an estimated combined public and private industry investment cost of approximately €10 billion. This study took two

years to complete and involved spending €1 million of taxpayers' money. It is noteworthy that the option of placing the high voltage cables underground was not considered, and perhaps this is the position that officialdom in Ireland has adopted. If so, it is both high-handed and dismissive, and the same attitude has been adopted by EirGrid in its treatment of any suggestion that the proposed power lines be placed underground.

EirGrid envisages erecting approximately 4,000 new high voltage pylons over much of rural Ireland. In addition to the pylons that will form part of these massive projects, there are planned industrial scale substations, such as that planned for the Laois-Kilkenny border area. I have attended public meetings where the suggestion has been made that these projects are designed to facilitate the proposed wind farms for the midlands. We are confronted with the prospect of hundreds of turbines, pylons and power lines that will become part of the landscape and consciousness of rural Ireland for generations, outlasting any of us in the House and shaping the perception of rural Irish landscapes that our grandchildren and great-grandchildren will have. As we speak today we are witnessing a movement of ordinary, concerned people gathering momentum, with dozens of towns and villages across the country banding together to fight the plan.

With regard to the visual impact of projects, I have mentioned the perception of rural Ireland. It behoves us to remember that these projects will form part of the fabric of the landscape and the art and imagination of future generations, who will be affected by the physical marks we leave on the island. The scale of what is proposed makes me shudder. We will bequeath to future generations a corridor of 45 m high pylons for electricity lines through some of Ireland's most scenic areas, that is only 10 m shorter than Liberty Hall in Dublin, which stands at 148 ft. Imagine how the people of Dublin would feel if they were confronted with a long line of buildings placed at 250 m intervals in a row approximating the height of Liberty Hall? It would never be allowed but the people of rural Ireland are expected to accept such a proposal. They were never given an alternative and no underground option was considered. They were presented with a *fait accompli*.

People are sick of being held in contempt by decision makers in this country and people in Mayo, Galway, Roscommon, Leitrim, Meath, Laois, Kilkenny, Cavan and Monaghan deserve better, as do their communities. Better politics is about finding acceptable solutions to problems affecting the lives of citizens, and politics fails when technocrats present plans which are uncritically accepted by government and all objections are silenced in the Oireachtas by the power of the party whip.

EirGrid insists these developments are vital for prosperity and economic growth, health fears are without foundation and going underground is both too costly and technically unfeasible. With all due respect to EirGrid and its engineers, they do not get to decide what goes in this country simply because they argue that their plan is best. In this building, we, on behalf of the people who elect us, bring other considerations into the mix. We ask what price is to be put on our children's health where there is even a possibility that there may be adverse consequences. We ask what price can be put on the environment or the views of people in our communities. If the Government and politicians continue to treat the views of people with contempt, they will earn only contempt in return.

EirGrid's attitude is both dismissive and arrogant but in these Houses we are not bound to follow its example. That is why I will introduce legislation that will require the placing of high voltage energy transmission lines underground where physically possible if the Government

does not do so. If a power operator suggests it is not physically possible - as opposed to technically desirable or cost-effective - to place lines underground, the burden of proof should rest on it to show that to be the case. As it stands, each route for these power lines is a 1 km wide corridor, and the planning applications for the final route will be lodged in 2015. At a proposed height of 45 m, the pylons would be ten times the size of an average bungalow, such is the visual obtrusiveness of these lines. It is in the broader public interest that these structures be placed underground.

EirGrid is a semi-State company, and such companies are supposed to manage strategic assets. Such an interest does not just extend to the transmission of power and it also goes to concerns about the environment, the quality of rural life, the value of land, tourism and so on. These are strategic matters. EirGrid has refused to build the proposed high voltage network underground, indicating that it would be too risky and expensive, and it could jeopardise the entire electricity network. All of those claims are dubious.

The North East Pylon Pressure group has argued that an independent study it commissioned indicates that the combined investment in transmission costs over 40 years would be €968 million for overhead lines, which compares with €805 million for an underground system. There is a credible case for an alternative. EirGrid has argued that no line of this size and type has ever been placed underground and labelled such an action a high-risk experiment that could result in failure and waste many hundreds of millions of euro while jeopardising security of supply to the north-east region and the electricity system throughout Ireland. Nevertheless, EirGrid has no qualms about splashing tax euro on teams of barristers at €3,000 per day and a panel of experts and consultants. It also had a €600,000 advertising campaign last year.

We must also consider the cost for landowners. Over 60 studies have been carried out over the past 50 years to assess the impact of overhead power lines on the value of residential property in close proximity. The most common effects identified and cited in court cases in the US are claims of a reduction in market price, properties being slower to sell and a decrease in sales volume. Factors such as unsightliness and noise pollution were often identified as negative influences on property values. A study carried out in Britain in 2007 indicated that the value of detached properties at a distance of less than 100 m from overhead transmission lines was 38% lower than comparable properties, and the effective devaluation has been seen up to 2.5 km from such lines. A rigorous and comprehensive study in Canada over 20 years ago indicated that per acre values for more than 1,000 agricultural properties were 16% to 29% lower for properties with easements for transmission lines than similar properties without easements.

Above-ground cables have a longer construction time and the cost for overhead lines and implementation time for overhead transmission is increasing all the time. EirGrid, in its draft transmission plan for 2007 to 2011 and published in October 2007, highlighted the time from design to construction of an underground cable project is four years, compared with 7.25 years for a 400 kV overhead line. That estimate is being exceeded in many cases, resulting in ten to 15 year delays because of landowner and public opposition.

Underground line construction saves significant time and cost. The use of underground transmission is increasing rapidly worldwide. Currently there are approximately 5,500 km of high voltage underground cable in Europe. In the past ten years there has been a 73% rise in underground cabling. Denmark, for example, now has 19.43% of all of its transmission lines underground. In France, 25% of all high-tension lines must now be placed underground. Even in this country we see from EirGrid statistics that 5% of such lines are underground. Impor-

tantly, EirGrid has already announced that it proposes to build a 30 km underground cable from Rush in Dublin to Batterstown in Meath. One could ask why it does not take more of that kind of approach. Other options have worked. NorNed is a 580 km long HVDC submarine power cable between Feda in Norway and the seaport of Eemshaven in the Netherlands, which interconnects the electricity grids of both countries. It is the longest submarine power cable in the world. A submarine power cable is being constructed in Shetland in Scotland. I would be happy to discuss the Scottish project further. The point is that it can be done and now the grid operators must be compelled to do it.

The precise legitimacy of health concerns is disputed. If there is any doubt then we must follow the precautionary principle. My main focus is on the quality of life of people and communities in rural areas. Even if there is a differential in the cost of placing lines underground as opposed to the allegedly cheaper overground option, the cost will be borne by the communities - landowners who see a decrease in the value of their land and in the longer term by the country as a whole as tourism is affected. No doubt the Minister has been in countries, as I have, where there are massive metal monstrosities and it does not feel like one is in the countryside anymore. How can we claim we are in favour of a cleaner, greener country and talk about this country's unique selling point being its green grass, rural life and countryside if at the same time we attack the countryside because we are penny wise and pound foolish and we refuse to invest in our physical landscape? It is vital that there would be a rethink on the proposal. I am of the firm view that environmental, social and even health concerns demand of us an approach which minimises the impact of grid modernisation, which I do not oppose in itself, but what I do oppose is an approach that asserts that overhead power lines are the only option.

The legislation I propose to introduce if the Government does not do so would compel EirGrid or any other operator proposing to develop high-voltage power transmission lines to bury them underground, unless they could show that it is physically impossible to do so. That would be a measured response to the proposed plans for the future development of our electricity grid. It is already in the gift of An Bord Pleanála to require that lines be placed underground in certain circumstances. It takes those decisions on the back of powers from European legislation that will require environmental impact assessments to be done over a certain level of voltage. It is clear that there already exists the power to require that certain lines be placed underground. What I propose is an extension of the principle to require that such lines must be placed underground unless it is a physical impossibility. I propose that because it is in the public interest and there has not been adequate consultation by EirGrid and the Government to date with the communities that will be most affected. I dislike and am concerned about a situation where it would appear to be a case of divide and conquer, where those who might allow the pylons to be anchored on their land will be offered a certain level of compensation but there will be nothing for those over whose property the lines would fly extremely close. I hope such a divide and conquer approach will be resisted by communities, as is already evident in some cases.

If we are to learn any lesson from the widespread public exasperation with politics we must learn that advice from the technocrats in Departments, semi-State bodies or the European Union must always be tempered by consideration of the best interests of the people we represent. Politics is reputedly the art of the possible. In this case is possible to modernise our electricity network while at the same time not bequeathing future generations a ruined landscape and a divided community.

Senator Feargal Quinn: I welcome the Minister. I also welcome the debate because it is a topic worthy of discussion. I second Senator Mullen's motion as it is an area that needs

more debate. We must go beyond the *status quo* whereby we are told that placing electricity lines underground is just too expensive. That seems a simple approach and Senator Mullen has explained it well. We must consider the benefits and bear in mind the concept of “future proofing”, namely, not to just consider the short-term costs but also the longer-term implications. People have real concerns, which Senator Mullen has clearly indicated. Senator Cullinane was joined by up to 2,000 people who protested at the weekend against the proposed EirGrid network of pylons near the Comeragh Mountains.

While it is more expensive to put cabling underground, the costs have reduced considerably. Some argue that it is now only two to three times more expensive to put electricity cabling underground compared with overhead pylons. A recent UK report found that underground cabling was 4.5 to 5.7 times more expensive than traditional overhead pylons. That compares with the claim of being ten to 20 times more expensive made by the national grid company. The reduction in costs is massive since pylons were first erected. Some argue that the life cost of undergrounding cabling results in less loss of electricity over a number of years. When that is taken into account the sums change even more.

There is also the argument that underground cables would be even cheaper if extra factors were taken into account, such as the effect on tourism. The visual impact of pylons above ground is significant. In addition, there is a decrease in property values and community disruption as well as the negative effect on health and wildlife from pylons and overhead cabling. The aesthetic argument against pylons is strong. The environment looks better without massive electricity pylons. Electromagnetic radiation is emitted from pylons and that is significantly diminished when cables are underground. Some studies have linked cancer, in particular leukaemia and other diseases to electromagnetic radiation emitted by pylons. The case is based on studies that have not been proven but it is clear that there are concerns. It is questionable whether anyone would buy a house located beside an electricity pylon.

Some European countries have moved to fully underground power while others like Germany are moving in that direction. We must put the option on the table and consider the benefits the policy would bring. I urge the Minister to give serious consideration to the matter. I expect he will base his decision on cost rather than on other factors and if that is the case we must give serious consideration to how we can overcome the potential negative effects in the long term.

Last year I flew to Vienna and drove from there to Bratislava. I was astounded by the large number of pylons along the route but they were grouped together in one area instead of being spread out and therefore they did not impinge on many people. However, if we have long lines of pylons and cabling the effect on people will be multiplied. I am not convinced of the need for what is being planned. I know there are benefits and I am sure the Minister will make the argument that if we are going to export the electricity then the State as a whole will benefit from that. However, Senator Mullen has made a very strong case and I believe others will make a similarly strong case about the need to ensure that this issue is given very serious consideration before any decision is reached. In that context, I welcome this debate and look forward to hearing the Minister’s views on the matter.

Senator Tony Mulcahy: I welcome the Minister to the House. I am generally in favour of the motion but have serious reservations regarding its practicality. The motion calls on the Government to introduce legislation to “regulate the construction, siting and associated matters connected with high voltage electricity transmission lines in Ireland, in particular to make provisions for the placing of such high voltage electricity transmission lines underground where

physically possible”. It is the words “where physically possible” that could have serious financial consequences for every household in the country. Who is going to pay for putting these lines underground? It is the consumer who will pay. Do Senators really think the cost of putting these cables underground will not be passed on to the end user? No matter where we build our power stations there will be a requirement for power lines for transmission. Perhaps we should build all new power stations beside the end user, thus reducing the requirement for a lattice of power lines all over the island. The problem is that we have a very scattered population on this island. We have major population centres in Dublin, Belfast, Cork, Galway, Derry and Limerick, with associated large industrial users of energy. The rest of the population is scattered over towns, villages and isolated settlements in rural areas which also need electricity to function and survive. Every one of those towns, villages and settlements get their electricity through a cable. A 400kV high voltage cable can transport three times as much electricity as a 220kV cable. Thus, by moving to bigger cables, we can reduce the number of 220kV and 110kV cables in the network. A total of 2,000 km of cables are to be upgraded and older cables can be removed from many places.

We all know of the need to move away from our near 90% dependence on imported fossil fuels to meet our energy requirements. This will be achieved by developing our renewable energy capabilities. However, even with our slow but steady move towards renewable energy, we will still have to transport any electricity produced to the end user over high voltage cables. This has to be done in a safe and cost effective way. It is estimated to cost up to three times as much to put a high voltage cable underground as opposed to over ground. In addition, the time it takes to find and repair faults on underground cables is far greater than for those which are over ground. In 1998, for example, four insulated 110kV high voltage underground cables feeding central Auckland in New Zealand failed. A total of 20 city blocks lost their power for five weeks, while 60,000 to 70,000 people who worked in the area had to work from home or move to offices in the suburbs. Mobile generators had to be deployed in the city to supply essential services. This is what can happen when underground cables fail. We have seen massive power outages in California and other parts of north America due to a lack of investment in modern electricity grids. If we do not upgrade our national grid we will condemn the country to generations of economic stagnation. That is why Eirgrid is investing €3.2 billion in upgrading and strengthening the system. To date it has spent almost €800 million which is providing much-needed jobs. Eirgrid has a duty of care to carry out this work in a safe manner which it is endeavouring to do. When Eirgrid is planning new routes, it examines how best to carry out the work and examines the feasibility of putting cables underground. The company often changes the direction of planned routes to avoid populated areas. However, because of the scattered nature of our population in rural areas, it is not possible to avoid every house. We demand a modern national electricity grid which can supply power to the whole island and to our nearest neighbours in England, Scotland and Wales, or when necessary, obtain electricity from them but at the same time we are saying put the cables underground and let the customers pay. No one wants high voltage electricity cables close by but we must look at the bigger picture. County Clare has some of the largest high-voltage cables and pylons in the State where the 915 MW coal-fired Moneypoint power station feeds into the national grid. Many people all over the country were very happy when that power station was built. There are two separate 400kV cables that cross County Clare, one running north of Ennis and the other running south of the town. Cables then continue across the country up to the outskirts of the capital. If one was to take a helicopter and follow both routes, one will see that very little, if any, of the cables run underground. Most of the industrial estates in the counties the lines pass over are fed by that power supply. No one wants to wake up some morning to find that a construction crew has ar-

rived in a nearby field to erect a large pylon but equally no-one wants to wake up to find that a large industrial employer down the road has closed down because of the high cost of electricity. Furthermore, we do not want to see a situation where foreign direct investors are scared away from Ireland because of the high cost of electricity here due to the Government's insistence on high voltage cables being laid underground. After potential investors speak to the IDA about setting up in business here, their next port of call is the energy providers. The first question they ask is how much power will cost and the second is whether a secure and constant supply can be guaranteed. If the answer to the latter question is no, the investors move on to our competitors in Europe.

As I have said, I welcome the thrust of the motion but it would be a massive economic challenge if the Government was to insist on all high voltage electricity cables being placed underground where physically possible.

On the matter of health concerns, it is important to bring some balance to the debate. In March 2007 the then Department of Communications, Marine and Natural Resources assembled a panel of independent scientists to review research on electromagnetic fields and radio frequencies in the context of electricity transmission. The panel concluded that no adverse health effects have been established below the limits suggested by international guidelines. This position was restated by the office of the chief scientific advisor in a report into possible health effects from exposure to electromagnetic fields in July 2010. That report states that "it is simply not possible for the level of energies associated with power lines to cause cancer". In 1998 the International Commission on Non-Ionising Radiation Protection, ICNIRP, issued guidelines for exposure to electromagnetic fields from power lines. These guidelines have been in force throughout the EU since 1999 and Eirgrid fully complies with them.

Senator Thomas Byrne: I thank Senator Mullen for tabling the motion. I also thank the Minister for being here because it is important to have a full debate on this issue. I am not going to go into the technology or health issues, about which I am not an expert. However, I will give the Minister my observations regarding what is happening on the ground, in an effort to be helpful. While the Government can be criticised for some aspects of this, one of the positive aspects of its policy statement was the acknowledgement of the need for community engagement. That is stated clearly in the policy statement issued in July when the Minister asked Eirgrid to recommence these projects and again in the response to the motion before us today. However, the blatant fact of the matter is that there has been zero community engagement and zero community acceptance on the ground. That is a fact and the reality of the situation. The Government must grapple with that reality.

People have been burned by Eirgrid in County Meath, literally, with the disgraceful collapse of the planning application in 2010. What happened there was absolutely outrageous. Eirgrid withdrew its planning application, presumably at massive cost to the taxpayer but also at massive cost to the communities, objectors and voluntary groups which had fund raised for years. It cost them a six figure sum. While there was a small settlement with Eirgrid, it still left them with substantial debts. The view is that Eirgrid came into the area, took over and did not try to engage with the public. Admittedly, it held formal meetings in places like Navan and so forth, which allowed it to tick the boxes on community engagement. The company can tick boxes for community engagement in the context of a Bord Pleanála application but it is not happening on the ground.

The controversy over the project in County Meath has been going on for six years. In that

time I have noted that the technology keeps changing and the cost keeps coming down. However, that information is never forthcoming from Eirgrid on a voluntary basis. The data is never offered up by the company but comes from other sources, including, in fairness, the study commissioned by the Department. That document moved the debate on quite considerably when it was published in January 2012. Other studies were carried out before that one, including the Tepco report for the previous Government and there is a growing acceptance that at least some of the transmission cables can be put underground. Denmark provides a good example in that regard. Since the Meath project started, Denmark has changed its policy and is now moving towards putting all transmission cables underground, not just the 400kV ones. I do not know why we cannot take a lead from that and at least investigate it further to determine whether it can be done and what the real cost will be.

There is an enormous amount of fear in communities. The principal of a school which will be in the shadow of a pylon, for example, is worried that pupils will stop attending the school once the pylon is erected. The public does not accept the policy on the siting of pylons. I recently attended a public meeting on wind farms at which some were for them and some against. Opinion is divided on wind farms, but not when it comes to pylons. There is 99% opposition along the route of this project. People are not willing to engage with EirGrid. While I recognise that we cannot allow power supplies to be disrupted, it is a fact this project was first proposed publicly in 2007 in County Meath, yet nothing has happened since because the planning application collapsed. Meanwhile, the lights are still on and there has been no risk to electricity supply. In 2007, the major selling point of the project was that it would allow for the export of wind power from northern and western areas to England. However, all the wind farm projects have said they will use their own power lines and underground them. EirGrid, privately, will admit that wind energy is not the significant aspect of this project, which is about keeping the grid together and the lights on. I am sceptical about this as it is over six years since it was first proposed, yet there has been no apparent extra threat to our power supply.

Twelve years ago, controversy arose over a smaller transmission line going across Cork Harbour. An independent mediator was appointed at the time and the project was suspended. This is what we are proposing. It would be sensible for the Minister to appoint a mediator whom the public can trust to determine this matter. Up to now, the public has felt it cannot trust EirGrid because the information has had to be dragged out of it. I accept that EirGrid employees are public servants and claim they are doing their job in the public interest. Someone needs to arbitrate in this case, however, and it cannot just be An Bord Pleanála. I am not criticising the incoming EirGrid chairman, Mr. O'Connor. He is probably the man for any other job in the public sector - an excellent candidate. The problem with his appointment to EirGrid is that there is a perception that he is just going to ram projects through the planning process or give advice based on his previous expertise. I am not suggesting there would be any wrongdoing. However, the public perception is that the purpose of his appointment is to ram pylon projects down people's throats, and EirGrid is not on their side. Those in EirGrid are doing a job for the State as public servants. I do not feel comfortable criticising the company, but it does not have the public's support for this project. The Minister has acknowledged time and again that this project needs public acceptance. However, it has absolutely zero support.

Senator Aileen Hayden: I welcome this motion because this is an important issue in the public domain. I thank the Minister, Deputy Rabbitte, for coming to the House to take it.

It is important to acknowledge that EirGrid's mandate is to be the statutory agency charged with delivering a safe, secure and affordable electricity supply across Ireland. Yesterday, I was

struck by a report in RTE's business news that energy costs for the average business are due to increase fourfold over the next several years. At current rates of energy price increases, fuel poverty is the most significant issue facing the average low-income family. If anyone doubts this, he or she can contact the local St. Vincent de Paul confraternity for confirmation. Fuel poverty is one of the single largest emerging issues. We all agree that reducing the risks to the delivery of a cost-effective and efficient electricity supply is a priority. The motion, however, suggests that there is only one solution - namely, undergrounding all electricity transmission cables.

I was struck by the findings of an independent report in the UK, endorsed by the Institute of Engineering Technology, on electricity transmission costings. It acknowledged that there were fresh calls for undergrounding given that new studies had found that the cost of so doing was considerably less than had previously been estimated. It did warn, nevertheless, that there were arguments against undergrounding, many of which are environmental. Undergrounding could damage the environment by disturbing soil, and it was unclear how the composition of the plastic cables sheathing the wires affected soil quality. There were also issues around the cost not just of constructing the lines, which was acknowledged to be greater, but also of compensation to landowners when lands have to be dug up, as well as the impact on agriculture and crops and the rural environment. When underground cables go wrong, they are less accessible and significantly more costly and time-consuming to repair and replace.

Much of this is an urban-rural debate, because many of the negatives have a far greater impact on rural areas than they would on urban areas. It is important to acknowledge some of the arguments made on the health front. In the late 1980s and early 1990s, overground electromagnetic cables were rolled out across Wicklow. There was a similar campaign to stop that project, as there was much concern about the health impacts of pylons. We need to acknowledge that while there is much concern among the public, the evidence suggests this is not the issue with which people should be concerned. While there are issues with regard to the effect of pylons on the physical environment, it is important to lay to rest the fears people have about the health impact of pylons. A significant amount of research has put these concerns to bed. In October 2005, the World Health Organisation convened an international expert panel to review the scientific literature on the biological effects of exposure to extremely low-frequency fields, ELF's, and assess any health risks. The group published its findings in June 2007, concluding there were no substantive health issues related to ELF's at the levels at which they are encountered by the public. In July 2010, the Office of the Chief Scientific Adviser to the Government concluded it is simply not possible for the levels of energy associated with power lines to cause cancer. Most of the scientific peer-reviewed studies that the Department is aware of have concluded that ELF's have no detrimental effect on animal health, milk production, fertility, animal behaviour or carcass quality. This is basically not an issue.

Several points were made on both sides of the House about whether the consultation process was effective. Will the Minister take on board that there is a lack of confidence in the consultation process? By the way, that process is by no means over for many of the proposals for the electricity grid. Will the Minister take these concerns back to EirGrid? If there is a lack of public trust in EirGrid, I am sure the Minister, more than anyone else, would wish to rectify that matter.

It is important to consider the international aspects of this matter. There are concerns about ensuring Ireland has a cost-effective energy transmission network. There is much to be gained from the potential this country has for wind energy export. However, it has been made clear

that our current transmission infrastructure is not fit for purpose for today, let alone for tomorrow. We must acknowledge that we must build a grid system that will be able to deliver renewable energy, particularly from our offshore wind resources, and realise our export potential in this regard. Above all, we must be very conscious of the importance of security of supply. The motion is overly prescriptive in setting out how we must deliver this for the country. I have no difficulty with re-examining EirGrid's mandate and in asking what we want EirGrid to deliver for the country, but I am very much of the view that we cannot say, for example, that it must place lines underground wherever physically possible. That would be far too prescriptive and tie our hands in delivering what the country needs, namely a safe, secure, efficient and sustainable electrical energy resource.

Senator Mary Ann O'Brien: I thank Senators Rónán Mullen and Feargal Quinn for proposing this very important motion.

We did not inherit this world from our parents. We borrowed it from our children. One day we will return it. It should be every bit as bountiful as it was when we found it. That is what sustainability means and sustainability is what the world needs now, which gives Ireland a momentous opportunity, maybe the defining opportunity of our time, because the rewards it can bring us are all breathtaking.

That is an excerpt from the Origin Green film commissioned by Bord Bia in conjunction with Saoirse Ronan. If Members have not seen this stunning film which depicts our stunning countryside, they should watch it and then imagine the 560 km of this stunning countryside dotted with 1,540 ugly, 45 m high pylons. These pylons were invented in 1912, almost 100 years ago. Can we not think of something better? It is not about us but about future generations.

Bord Bia is one of our better State boards. Pathways for Growth and Food Harvest 2020 are one of our great success stories. We are heading for a turnover of €12 billion in agricultural exports. I would love to have the Minister for Agriculture, Food and the Marine, Deputy Simon Coveney, here to ask him whether he has engaged in consultation with EirGrid. Numerous studies have highlighted the negative impact of overhead lines on agriculture, blood stock in particular. It is well known that these animals will react negatively in the vicinity of such lines.

Does anybody know an American who will come here to see pylons? We all know how important tourism is now and for the future. Ireland's scenery has been a cornerstone of international tourism marketing campaigns for decades. A 2007 Fáilte Ireland visitor attitudes survey showed that 80% of overseas holidaymakers to Ireland rated scenery as an important reason for their trips, followed by the natural, unspoiled environment, at 74%. What can we say to the Minister for Transport, Tourism and Sport, Deputy Leo Varadkar? Has he made a submission to EirGrid? It certainly will not help tourism.

To follow Senator Thomas Byrne's earlier contribution, I will give the Minister some words from our local group in south Kildare on how people are feeling about EirGrid and the public consultation process taking place. They believe EirGrid has been incredibly weak in its communication in the public consultation process. They are very stressed and worried about filling in the public consultation form and asked if the Minister could speak to EirGrid about possibly extending the time to the end of January 2014 in order that they could create their answers. Many ordinary people are just starting to mobilise.

Senators Aideen Hayden and Tony Mulcahy both made wonderful contributions. I am in-

volved in industry and the cost of power is so relevant. I have never suffered a brownout; neither have we since County Meath began this journey seven years ago. However, I would still mention human beings, the citizens of this country. The Minister, Deputy Pat Rabbitte lives in the city. I would love to give him a present of a home in south Kildare. He and his wife would be very happy living on two or three acres.

Senator Darragh O'Brien: He would have to declare it.

Senator Mary Ann O'Brien: Then let me erect a 45 m high pylon in his vegetable garden.

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I would still risk it.

Senator Mary Ann O'Brien: I am certain the Minister would not risk it. I heard Senator Aideen Hayden's words on health, that the WHO states there is no risk; however, the scientific committee on emerging and newly identified health risks, SCENIHR, in Europe states there may be a risk. Even if there is the tiniest risk, how can we risk putting one of these pylons near somebody's home? We have all met people who have pylons on their property. At one of the public meetings recently in Narraghmore a farmer who has only a small farm had a pylon placed there 20 years ago. He has never been able to sell his farm. All of the land around the pylon is completely sterile and his land is worthless.

When EirGrid made its cost estimate on this project, did it go into external costs such as those for landscapes, land use and property values? I have mentioned the cost to agriculture, our amazing equine industry, tourism, vegetation, wildlife and birds. Senator Thomas Byrne is out there. I am in south Kildare - I am originally from Tipperary - and I cannot find one citizen who is in favour of this. I know about the business side, but we must find a different way. Technology is moving fast, as Senator Thomas Byrne has said. Can we not wait a little longer and find a compromise? Can we put some of the pylons underground? There must be a better way than shoving up these ugly, revolting pylons, taking the risks and ruining the landscape and our beautiful countryside for future generations.

Senator Cáit Keane: I move amendment No. 1:

To delete all words after "That Seanad Éireann" and substitute the following:

"commends the Government for--

- its commitment to delivering on energy policy priorities, including ongoing investment in energy infrastructure, ambitious targets for renewable energy, a substantive increase in energy efficiency and the continued opening up of gas and electricity markets to competition, with resultant benefits for business and domestic consumers;

- its commitment to the major investments in critical transmission and distribution infrastructure by the State energy companies which are designed to ensure security of energy supply, enhance the delivery of renewable energy and underpin economic growth; and

- its commitment to ensure infrastructure investment programmes are delivered in the most cost-efficient and timely way possible, on the basis of the best available knowledge and informed engagement on the impacts and costs of different engineering solutions, in the national interest, particularly in the current economic circum-

stances;

and

notes the policy statement on the strategic importance of transmission and other energy infrastructure approved by the Government on 17 July 2012 and acknowledges that--

- the planning process and legislation provides the framework for ensuring necessary standards are met in energy infrastructure roll-out and that comprehensive statutory and non-statutory consultation is built into the process;

- early, transparent engagement and consultation with local communities and stakeholders is key to building public confidence;

- the Government does not direct EirGrid to particular sites or routes or technologies but the Government does expect EirGrid, in making choices on such matters, to take account of all relevant national and international standards, to follow best practice and ensure value for money and to be informed by detailed consultation at local level;

- co-operation with local authorities has the potential for delivering landscape, biodiversity and civic amenity benefits and delivering long-lasting benefits to communities is an important way of achieving public acceptability for infrastructure; and

- the Government fully supports a community gain approach in the delivery of energy infrastructure and underlines the appropriateness of building community gain considerations into budgeting and planning stages of major infrastructure projects”.

I welcome the discussion because it is badly needed. We do not have enough discussion and research. There has been discussion in the past 20 years about placing underground poles and lights, including in the city. It was very costly to do this and that was always an argument against it. As spokesperson on the environment, one would like to see everything underground. In Ireland we say out of sight is out of mind. Underground might not be the best place, but we do not have that information because the definitive research has not been undertaken. Anything I have read has given arguments on both sides.

Many Members have spoken about the risks. The WHO states there are no health risks. We should consider all of the risks overground, including to machinery and people passing by. To evaluate appropriate regulation in Ireland we should compare it with regulation elsewhere in Europe to determine best practice. If we were starting now, we would not do what we did, but we are not starting now and do not want the lights to go off in the morning. We are where we are and must start from there.

We must also take the economic effects on the country into consideration. Ireland’s health and safety compliance levels regarding electricity transmission infrastructure provided by Eir-Grid are at a low threshold compared to elsewhere in Europe. However, in many EU states the safe distance to high voltage overhead lines is set eight times further away from dwellings than in Ireland. However, we have had these regulations from the 1920s onwards.

The case for underground cables has been made. I know many pressure groups, voluntary groups and community groups are agitating at the moment. They have to be complimented for

taking the part of the community and for informing politicians as well. On the other hand, as legislators, we have to be informed from both sides, from the community groups but also in regard to what is feasible and in regard to examining the entire situation and assessing the benefits in terms of costs and overall safety.

Currently, EirGrid, as our independent electricity transmission operator, has a mix of overhead lines and some underground cables, so this is not a new science or technology, and it has over 100 transmission stations. I commend EirGrid for its recent development of energy infrastructure and its investment of €240 million in the west, something that was undoubtedly needed. There can be no doubt grid renewal is critical to meeting Ireland's electricity needs. The Minister is charged with that, as are legislators, in order to ensure we meet our energy needs. Whatever means this electricity is generated by, be it by wind or otherwise, it has to be transmitted through a 21st century modern and sustainable grid.

This raises the question of what constitutes a 21st century sustainable and modern grid. The T-pylon design is being accepted throughout England as opposed to the massive old pylons. If we look to the position of the EU, under the TEN-E programme the EU is encouraging member states to actively consider the development of co-linear projects combining multiple sources of electricity cables, fibre-optic, rail, road and canals in a single corridor. If we look at Ireland and ask what we have here that we could utilise, the canal system is in place, although it is not going in the right direction for the new Grid 3 proposal. However, there are many possibilities. This is the reasoning employed by Denmark, Germany and the Netherlands, which are moving rapidly towards grid renewal. Their development has been reliant on the introduction of underground cable, although Denmark is not in the situation in which Ireland finds itself at present, either economically or in terms of an over-reliance on overground cables, which we have at present.

For Ireland to approach legislating on this issue, we must take into account the technical and affordability issues, including feasibility. Environmental issues are of particular interest, which is why I said that if we were starting from here, we would put everything underground. Having said that, there are problems with undergrounding and not every area is suitable for it. While we know it will cost more, we do not know how much more as the study has not been done on this. We have the two sides of the debate but comprehensive multidisciplinary research must be done. If we tell people the lights are going to go off and that they must pay a few extra bob, they will say they do not want that. Does the Minister believe enough research has been done? I ask for a multidisciplinary research group to be set up to analyse the factors and consequences, and to try to put this issue to bed, if one likes, through science and research rather than just hearsay. This analysis must include commercial experience, international best practice, EU regulations, relevant technical expertise and representation from EirGrid. A suitable objective and independent forum like this has never existed, as far I know. Rather than people going into community halls, shouting over and back, it is good for people to come together to have a learning experience, but who is to give that learning experience? We have to measure our cloth according to our means. We and the Minister are charged, as legislators, with ensuring the lights do not go off.

Senator Sean D. Barrett: I welcome the Minister to the House. I recall, in my student days, that the Minister for Transport and Power, as the title then was, the late Mr. Erskine Childers, who was later President, said at a meeting in college that the drawings he got of the ESB headquarters were a lot different to how it actually turned out. There is a cautionary note as to what advice is fed into the political system from the engineering professions.

As Senator Byrne said, this debate has been dominated very strongly by producers and consumers and the public at large feel they can be trampled over. The motion covers that fairly well. It asks for legislation in regard to the planning of high voltage electricity transmission lines. I wonder whether we are still using the 1927 Act, which dealt with putting small poles on individual farms. These pylons seem to be almost small factories located hundreds of feet up in the air. They have a bad effect on the environment and they certainly annoy people, as the public meetings to which Senator Keane and others have referred would indicate.

On the other hand, we got the first gas pipeline from Dublin to Cork built below budget and ahead of time, and without much in the way of agitation. This is one of the factors we have to build in, namely, the fact the underground pipelines Bord Gáis has laid have a greater level of acceptability. The question then becomes about the difference in cost, and I look forward to hearing what the Minister's research indicates. Proceeding by agreement with landowners is better than the kind of controversies which have been generated by the overhead cables, in particular in places like Meath.

Senator Mullen questioned why the route from Rush to Batterstown can be built underground and the one from Moy in Tyrone to Batterstown is overground. Are there different economics in the two projects? I know one route is much longer.

Pylons devalue housing, which is another point that has been made. On another point, how are we now situated in regard to the rights of way decision made just recently in the case of Lisadell? Do farmers have stronger rights now if people wish to put structures over their land? I know there is compensation for the locating of pylons, but let us say Sligo County Council had an unpleasant surprise in regard to property rights and we do not want the Minister to experience something similar. We need to sort out that issue. The planning application withdrawal by EirGrid was a major flaw in public decision making and much time was wasted on the inquiry.

Will technology change? It may well do. The Government amendment refers in several places to renewables. Are renewables viable in the light of the substantial decline in gas prices in the United States? We might say that is due to fracking and we do not like it, but it has certainly changed relative energy prices. We have the views of people who say we can bring that low cost gas into the Shannon Estuary and it would undercut the renewables and give us much better value. In addition, it could plug into the existing network, as Senator Mulcahy said, which is geared around Moneypoint, and the Ballylongford depot is not 1 million miles away.

I note the National Competitiveness Council's 2008 review of the main infrastructure issues for enterprise states that the price we are paying for renewables offshore was guaranteed at €220 per MW hour for wave and tidal energy and €140 per MW hour for offshore wind, which compared to the then wholesale price of €73 per MW hour. Some of the things which are possible in engineering terms may not make much sense in economic terms unless one attaches a really high premium to security. Where is the emergency? I know we have fears the lights will go out and so on, and that we need to have these standby systems.

5 o'clock

If we design a new distribution system around wind farms, which of themselves are not economically viable, we will lose both on the economy and the environment.

The motion is important. There should be proper and full planning procedures for these networks. I had doubts when an earlier Government introduced strategic infrastructure legisla-

tion to jump over the planning system. “Infrastructure” just means that it is large; “strategic” means that the Government thinks it is important. It does not mean that it should not operate under the legal system. If the motion allows us to insert this into the planning system and, as Senators have said, with mediation, it could be a way to proceed. As Senator Thomas Byrne said, the issue is causing annoyance. The Minister might assert that it is unnecessary annoyance, that the cost of placing infrastructure underground has been understated and the costs of overground pylons have been seriously inflated by people on this side of the argument, but it is very useful that a House of Parliament is discussing all of these issues to see where the balance lies on environmental and economic factors. I look forward to hearing the Minister’s reply.

Senator David Cullinane: I welcome the Minister, Deputy Pat Rabbitte’s return to the House to again discuss an issue raised on the Adjournment some weeks ago. I commend Senator Rónán Mullen for the pragmatic wording of the motion which should be supported.

As I said previously, I have no objection in principle to the Grid Link project for the south-east or other EirGrid projects across the island. It is necessary to enhance the supply and expansion of the electricity grid in the south east and across the State. In its stage 1 report EirGrid states the project in the south east will help to secure a future electricity supply for homes, businesses, farms, factories and communities in Leinster and Munster that will provide a platform for economic growth and job creation in the south and east of Ireland and will help Ireland to meet its 40% renewable electricity target, with none of which, of course, we could disagree. However, I cannot support EirGrid’s determination to use only overground pylons and wires for the entire routes and to rule out the underground option. One of the Government Senators said there was only one option being put by the campaigning groups and those opposed to the siting over ground of pylons, but EirGrid and the Government are sticking to the overground option only and are not open to the possibility of some underground options

I welcome the establishment of the community based groups about which Members have spoken, that have been set up to help to inform communities and voice the many genuine and serious concerns about the project. Many of the groups are working on a voluntary basis and holding workshops and meetings to discuss the many concerns about the routes chosen and other issues. We should commend them for doing this. It appears that in spite of the clearly expressed opposition of thousand of families who live close to the proposed routes of the power lines and pylons, EirGrid remains committed to the overhead approach to the project. Communities along the route are absolutely opposed to the installation of unsightly pylons and rightly fear for the health of all exposed to high voltage power conduits.

Senator Sean D. Barrett spoke about the planning process. It is essential that we recognise the reality of the outworking of the Planning and Development (Strategic Infrastructure) Act 2006, on which, to my knowledge, the Minister abstained, while my party opposed and voted against it. This legislation facilitates the forcing through of such projects, regardless of the expressed wishes of communities. Real fears and absolute opposition to the overground approach have been voiced along the entire route through County Waterford and other counties. As I said, large public meetings have been held in many centres. We need to respond to the concerns of the communities, families and citizens affected by the EirGrid proposal. I recommend that the Minister and his Fine Gael colleagues in government revisit the planning and development Act to ensure delivery in this regard. In reality the Act should be repealed. While this is not the responsibility of EirGrid, it is the responsibility of the Government. We need to look at the planning process used to facilitate the progression of projects such as this.

The following concerns have been articulated about infrastructural projects: there is a de-valuation of residential property and farmland; there is an impact on future agricultural development, the landscape, the architectural and built heritage; there is the visual impact of pylon towers; there is an impact on lakes, watercourses and their environs; there is an impact on areas of primary and secondary heritage, biodiversity, trees and hedgerows, archeology, wildlife and habitats, the rural and agricultural economy, while there is a potential health impact on humans and animals.

Senators on both sides of the House have referred to a number of studies. Recent studies have shown that serious medical problems can potentially be caused by high voltage power lines of the type used by the ESB and EirGrid. A report compiled by a research team in Bristol University in England found that the electrical charge created by overhead power lines resulted in ill health for people living and-or working close by. According to the findings, they are exposed to three times the average daily dose of damaging chemicals in their lungs that come from car and industrial emissions. Those campaigning for putting the power lines underground say that even though the majority of scientific and medical research has been inconclusive - it is important that everybody, no matter on what side of the debate he or she is, accepts this - nonetheless it is not acceptable that there should be a possible threat to public health when there is a solution available. To my knowledge, the solution is to place the cable underground. Insulated cables laid underground - the Minister may assert this is the most costly option initially - solve the problem of electricity leakage which is the primary cause of the health risk associated with overhead power lines. EirGrid and the Minister need to acknowledge there is a problem and they should look at the alternatives rather than forcing through overhead pylons.

We need to protect the landscape and our tourism product. During the Adjournment debate I mentioned the importance of tourism to the south east; it is seen as a key economic driver for the region and is supported by all of the local councils. The south east is an area steeped in natural history and heritage, with scenic landscapes, mountains, rivers and various heritage sites. Mention was made of the successful rally held on the Comeragh Mountains last week which was attended by public representatives from the Minister's party, as well as the Fine Gael Party. The Comeragh Mountains landscape would be severely compromised by the presence of an overground pylon supported power line infrastructure along the route under consideration. I do not believe future generations will forgive us easily if we allow our unique landscape to be eroded and blighted by the erection of unsightly high voltage power lines up to 45 m high.

It is important to remind ourselves of what is being proposed by EirGrid. It is proposed to put in place pylons carrying 400 kV of power, that are 45 m high and which can be as close as 50 m to a residential dwelling. It is right and appropriate that we respond to the genuine concerns expressed by communities. I was not at all impressed by the Minister's press statement yesterday, in which he seems to dismiss the very real concerns expressed. He should take the opportunity today to accept that there are concerns and outline what steps he will take to address them and meet the concerns of those in the community who have real fears about the project.

Senator Ivana Bacik: I welcome the Minister, Deputy Pat Rabbitte. We now have an opportunity to debate this important issue of transmission lines and the more developed counter motion from the Government which speaks about transmission and distribution infrastructure and the need to ensure the provision of developed infrastructure. One must confess that transmission and distribution electricity infrastructure is not the sort of topic that tends to set the world alight initially, yet, of course, it is a hugely contentious problem if we do not have the adequate infrastructure in place to secure the level of economic and social development we

want to achieve. The recent water problems in Dublin and other areas have shown the effect and consequence that years and decades of under investment has on vital infrastructure and how it impacts on business and domestic households. We need to ensure that we have an adequate energy infrastructure just as much as we need to ensure that we have an adequate water infrastructure. An inadequate infrastructure for energy and water poses an obstacle to job creation and the economic development of regions, particularly in regions that were badly served in the past and are a significant distance from urban centres. There will be serious consequences if we do not roll out a modern energy infrastructure. We are likely to hold back economic recovery. We are also likely to prevent and hamper the development of job creation.

With regard to energy, there is the added impetus due to the need to reduce our reliance on fossil fuels, particularly imported ones. There needs to be a major investment in infrastructure if we are to meet the international target of a 20% reduction by 2020.

For some years I have worked with Friends of the Earth Ireland on climate change legislation and I am glad that the Government is committed to introducing legislation on climate change. The previous Government had committed to doing so but failed.

In 2007 I introduced a Private Members' Climate Protection Bill in the House which sought binding climate control targets to be implemented by the Government and future Governments. It is great that we will finally see legislation put in place that has been agreed to after extensive consultation and will set targets.

We must be mindful of the practicalities necessary to reach the energy targets. We must ensure that we have the infrastructure in place that will use our natural resources to generate an adequate amount of energy, particularly wind energy which Ireland has, potentially, in abundance.

I support the Government's amendment. I also commend the Government on its ambitious plans to deliver on energy policy priorities. I particularly commend it on delivering an investment in the energy infrastructure that was needed in many regions in order to move forward.

The Minister has not spoken yet but I am sure that he will speak about EirGrid's ambitious development plan called Grid 25. The plan was noted in the amendment which states:

the Government does not direct EirGrid to particular sites or routes or technologies but the Government does expect EirGrid, in making choices on such matters, to take account of all relevant national and international standards, to follow best practice and ensure value for money and to be informed by detailed consultation at local level.

I shall focus on the consultation issue in the time allocated. As I said, the EirGrid investment is very ambitious and amounts to €3.2 billion. It will involve 800 km of new power lines and the upgrade of 2,000 km of existing lines. In other words, the current grid will double. It is a very ambitious project but it is necessary in order to ensure adequate economic development takes place. It will also ensure that we are not hampered when it comes to job creation policies, particularly for regions outside of urban centres.

What process will be employed to carry out such an ambitious and necessary expansion? This where consultation becomes important, particularly in the context of the motion. It was written in the spirit of a need to ensure consultation, although consultation was not mentioned. I think that was an omission because consultation is very important and there is proof of that in local areas all around Ireland.

We have in place a process that allows for the necessary consultations to be carried out at a local level. The planning process is a framework that will ensure that all of this major work is done with extensive consultation. We have seen this already in some of the plans that EirGrid has rolled out. For example, the Grid West project is worth €240 million and provides a link between Mayo and either Roscommon or Galway. The investment will result in significant job creation in the region.

Last October EirGrid announced the details of an emerging preferred route corridor. It has held a series of open days which engaged over 1,200 people. EirGrid will continue to engage with the public to find the best route. Clearly, the proposed route for the transmission line and the route corridor are contentious issues in certain areas. At the same time we need to see a process put in place that enables consultation at local level and allows for the infrastructure to be developed as needs be. All of that must be done in a consensual manner and with local communities, as far as possible.

Another example is the new Grid Link project that proposes a €500 million investment in the south and east regions to re-enforce the transmission network linking Leinster and Munster. The project is necessary in order to ensure that we meet energy demands in the south east. Over the years, even at a time of boom, many people rightly complained about inadequate energy facilities and supplies in different parts of Ireland. We must bear that in mind when examining the matter. I have plenty more to say but I am almost out of time.

Colleagues will be aware that Grid Link has already held 33 public information open days, 12 open days in the project area and over 2,500 stakeholders were involved. The framework is in place for extensive consultations and many local communities and different stakeholders have been involved at various stages of the process.

I wanted to say a little more on the health and safety issues that Senator Cullinane and others raised but I am running out of time.

I am glad the Government has given a strong commitment to developing natural resources, particularly wind energy, which is also important at an international level. We have all seen the horrific tragedy that took place in the Philippines recently. Therefore, we cannot deny the impact that greedy consumption in the developed world has had on developing countries and climate change internationally. That is the context in which infrastructure development is being carried out here. The investment will also enable us to meet our carbon reduction commitments and we will have greater independence by relying more on natural resources and less on fossil fuels.

Acting Chairman (Senator Michael Mullins): I thank the Senator. I call on Senator Norris and he has six minutes.

Senator David Norris: I welcome the Minister to the House. I am sorry that it was not possible to harmonise the two views. The motion tabled by Senator Mullen seems fairly innocuous to me. I do not mean innocuous in the sense that the motion is unimportant. It does not damage the Government bar one exception, namely, the phrase “where physically possible.” There might be some negotiation on that wording because it states a particular restriction. The first part of his motion seems reasonable and states:

That Seanad Éireann calls on the Government to introduce legislation to regulate the construction and siting of and associated matters connected with high voltage electricity

transmission lines in Ireland.

Who could possibly disagree with those words?

May I also say that we are in the lucky position that exploration is only beginning here. We have the very controversial Corrib gas field where everything has been sold, as far as I can see, to Shell Oil. The Barryroe site now looks rather exciting and there are a number of other locations. We may in fact be in quite an advantageous position with regard to energy.

It is also a very welcome sign that we are talking about energy in terms of European wide electricity co-operation. I well remember the days when the provos took particular delight in blowing up the electricity interconnector operating between the Republic and Northern Ireland. It reached the point where their acts prevented developments taking place.

Energy must be seen in context. It is my understanding that wind farms are being developed but they were strongly opposed for a variety of reasons. It was partly aesthetic, partly concerns about health and partly concerns about noise. It was claimed that children or people with Alzheimer's disease were greatly disturbed by the noise generated by wind farms and all of the rest. I understand that it is partly intended that the new network of pylons will allow for the export of energy. Can the Minister confirm such a development?

I do not think we should damage our environment in order to create the possibility of exporting energy. Tourism, for example, is one of the most important income generators in this country but we are going to destroy a whole series of beauty spots.

Senator Cullinane mentioned the planning Act and the fact that things have returned to the old days when county councils could ram anything through without availing of the planning process. I am not sure that this completely applies at the moment but I am very concerned at a recent trend that seems to have developed among higher public officials. A former city manager has been appointed as head of Irish Water. Now the chairman of An Bord Pleanála has moved in to take charge of EirGrid. I have no doubt that he is a man of impeccable character and all of the rest. I do not know the person at all. I am not in any sense wishing to impugn his character but it looks so bad. We are always told perception is everything. When the chairman of the planning authority goes into a situation where there are really serious planning issues, that stinks, frankly. I think he is unwise to have accepted that job. It is not that he could be, in any sense, corrupt-----

Acting Chairman (Senator Michael Mullins): The Senator should be careful not to refer to people who are outside the House who can be easily identified.

Senator David Norris: I understand that. May I say, as a matter of principle, that for people in these situations in other countries there often is a *cordon sanitaire* of a couple of years so that they cannot get involved in these things. I think that is useful and appropriate because with the best will in the world, there are contacts. That is more important than anything else and people read the signs. I am just flagging that, as I think there is a concern here. May I say to my very good friend, Senator Professor Dr. Ivana Bacik, that she is a little lonely on the Labour Party benches because at least three of her colleagues appear to have been told to take a powder. I refer to Senators Whelan, Kelly and Landy who spoke passionately on this side of the debate with regard to the windmills and the pylons. It is extraordinary that the people who spoke so passionately in this House and on the electric wireless, television and at public meetings are not present. One wonders why. Perhaps with the help of God and a tooth brush they will not turn

up for the vote either and we might just about-----

Senator Rónán Mullen: If they did they might vote for the motion.

Senator David Norris: If they voted for it or if they just disappeared-----

Acting Chairman (Senator Michael Mullins): Will the Senator please keep to the motion.

Senator Ivana Bacik: On a point of order, I hate to interrupt Senator Norris's very eloquent flow but I am concerned about his use of the term "electric wireless". I am not sure it is an accurate term. We need to be accurate when debating electricity.

Acting Chairman (Senator Michael Mullins): I do not think that is a point of order.

Senator David Norris: With regard to health and so on, Ireland as a country has not implemented any measures on basic restrictions for the general public for electromagnetic field exposure, as outlined by the EU recommendations as far back as 1999. Not only that but I was amused by one very charming e-mail I received which pointed out to me that bats, bees, cows and human beings appear to have an aversion to pylons. They do not like them. There may very well be good reasons for this. It is not just the devaluation of property which in this economic circumstance is difficult, it is also the sheer number of them. I understand there may be up to 4,000 of them. As the Minister is shaking his head, perhaps he will be able to tell me the number. One of my informants say there are 4,000 at 45 metres.

With regard to health, the situation regarding cancer is unclear. I am not inclined to think that the major cancers are caused by this kind of radiation. However, the study by the UK's national radiological protection board published under the name of Dr. Alastair McKinlay, said that the leukemia risk is at least double what might be expected normally in these circumstances. That is stated as a scientifically objective fact. He goes on to state that one has to be much more careful about the-----

Acting Chairman (Senator Michael Mullins): I will have to call time.

Senator David Norris: There is a greater charge for putting it underground. I know it is considerable. At the moment it is estimated at about three times the cost of putting it overground but it is dropping all the time. There are also other advantages. One will not lose on tourism. Putting things underground leads to fewer outages, less maintenance which is also a very good reason for putting them underground. I thank the Acting Chairman for his indulgence. Like the former speaker, my friend Senator Bacik, I would also have had lots more to say but it shows what an interesting and useful debate this is. I compliment my colleagues, Senators Mullen and Quinn, for tabling it.

Acting Chairman (Senator Michael Mullins): I call Senator Mark Daly who has six minutes.

Senator Mark Daly: I welcome the Minister back to the House. We could almost make him an honorary member for the day.

Deputy Pat Rabbitte: I might just need it.

Senator David Norris: I should have thanked Senator Mark Daly for allowing me to pre-

cede him in the roll.

Senator Mark Daly: The Senator is most welcome. This matter is of huge concern. I wish to raise two issues. There are three proposed routes. Please forgive my lack of knowledge in engineering when it comes to this issue. Much of the expense in putting the lines underground has to do with acquisition of land in terms of compensating farmers for disruption, finding ways around private property and dealing with public roads. I note that the Waterford element of the route, to a large degree, skirts the motorway which is in public ownership. We have done all the land deals. Perhaps the Minister would inform me as to the issues with putting the underground cables on the grass margin between the fence and the motorway.

If one is travelling from Naas to Waterford, I suggest one would not take a convoluted route across land but would use the motorway. Given that we own the motorway and that the land deals have already been done at huge cost to the taxpayer, what are the engineering difficulties, apart from disruption to traffic, in laying the cables on the motorway to Waterford, thereby not causing distress to the people involved?

I note that the route skirts across to Cork. There is also a motorway to Cork. A saving could be made by not using the link road between Waterford and Cork which may be in need of upgrading, an issue I must raise with the Minister for Transport. I suggest he might use the motorway that splits and goes to Cork city which I use every week. That is one of the challenges the Minister's Department might examine with their colleagues in the Department of Transport, Tourism and Sport to see whether it is possible, if we want to get to Waterford, to use the grass margin which I believe would be substantial enough to allow for laying the required ducting on both sides. What are the engineering obstacles to that? I am aware that somebody from EirGrid said it was not possible to put it underground. In Canada they managed to put it underground. It cost more. A huge element of that has to do with the delay involved in land acquisition. Perhaps the Minister will address that issue. As the health issues have been raised I will not raise them.

In regard to the issue of the public consultation and whether that has been wholesome, I am not in favour of the current process. We have outlined our issues in this regard. It costs €500 million which is a huge amount of money. We are calling for the suspension of the issue. Perhaps the Minister will address the idea of laying the ducting along the motorway and the impediments to that approach.

Deputy Pat Rabbitte: I agree with Senator Quinn that we need more debate on this issue. As Senator Mullen said, the genesis of this plan by EirGrid to deliver a safe and secure energy supply to the country goes back to 2008. This is the first time that I have been involved in debating the issue in the Oireachtas. I was in the House a couple of weeks ago to take an Adjournment debate that was prompted by protests locally. This is the first debate on the issue. From that point of view I could not welcome the debate more.

People are greatly motivated by the protests and so on. They are not dissimilar to the protests we have seen at the time of the masts in respect of the telecommunications issue. Very similar charges were made at that time about the dangers of fall-out from masts. Now I cannot cope with the correspondence I receive about mobile phones and broadband quality in parts of the country and so on. We have moved on to a new issue. We had a similar situation in the case of roads. People remember the extraordinary conflict there was about which route a road would take, through whose land it would run and what the compensation would be. That is the nature

of things. We have also seen protests coming up to elections. Tensions are heightened and we have to deal with that matter. In a democracy there is always one election or another on the way.

I do not disagree much with Senator Thomas Byrne's summary of the position on the North-South interconnector. I agree with him and Senator Sean D. Barrett that the withdrawal of the planning application in 2010 and what caused that withdrawal did not reflect EirGrid's finest hour. I am concerned about this, but I am also concerned about the time we are losing. The cost of the part of the interconnector meshing the two systems, North and South, is approximately €25 million per annum. For those who have recently come to the debate on energy, the issue is quite complex. We now have an all-island market. We do not have an all-island market in gas, but we do have an all-island market in electricity and the delay in this project is problematic. It is a concern, particularly from the point of view of Northern Ireland.

Everyone who adverts to my decision to nominate John O'Connor as chairman of EirGrid starts off by saying he is a man of the highest integrity, whose probity and reputation cannot be challenged, but they then go on to say he is unsuitable for the job. We are immensely fortunate to have got a man who can bring to the matter the dimension of his experience in planning and the concerns of citizens with whom he dealt for 11 years in a quasi-judicial capacity as chairman of An Bord Pleanála. We are fortunate that this man is available to bring that dimension of knowledge and experience to the leadership of the EirGrid board. I reassure Senator David Norris with regard to the *cordon sanitaire* that ought to be around him for a couple of years, or that would be around him in other countries. Mr. O'Connor has been gone from the job for the past couple of years and I do not want to go further on that point.

I prepared a speech to deliver here, but I will not have the time to deliver it in the time allowed. I presume it will be available to Members on the website.

Acting Chairman (Senator Michael Mullins): The Minister has approximately 15 minutes remaining.

Deputy Pat Rabbitte: I will do my best to get over the hurdles in that time.

I wish to set out the reasons we and the economy need EirGrid's Grid25 infrastructure programme and the steps that are being taken to engage

local communities in the roll-out of the programme. I am more than anxious to learn from the contributions of parliamentary colleagues how best to guarantee the country a safe, secure and affordable electricity supply. However, I cannot accede to the request that I set aside the planning process and go back to the bad old days when Ministers arbitrarily made such decisions. I am certain that is not what was in Senator Rónán Mullen's mind or is not what he intended when he drafted the motion. Effectively, it seeks to remove decision-making from the planning process before it has even engaged with the issues involved. Instead, the House is asked to decide now where and how power lines are to be built. Clearly, I cannot accept the motion, as it stands. Accordingly, I have offered an amendment which has been proposed by my colleague Senator Cáit Keane. That is not to say I do not welcome the opportunity to participate in this debate and to have a meeting of minds, as recommended by Senator Cáit Keane, if possible.

The motion tabled by Senator Rónán Mullen does not adequately acknowledge existing Government policy, the planning process and the legislation, which together provide a framework for ensuring comprehensive statutory and non-statutory consultation is built into the pro-

cess for rolling out energy infrastructure and that all necessary standards for health, safety and environmental protection are met. I am particularly concerned about the criticisms I have heard about the quality of the engagement and consultation that has been detailed by some Senators. After the experience of what happened - I take little exception to Senator Thomas Byrne's contribution in that regard - I thought we had learned the lesson. The extensive consultation process put in place was designed to learn from that experience. I am very concerned that Members are saying that it is not working as intended. A lot of money and time are being spent on consultation and offices are being opened along the putative routes or corridors. If this can be dismissed as bogus consultation, that is a great disappointment to me. I am not sure it is fair to EirGrid which has entered into the consultation process with the intention of learning from the experience of the Meath-Tyrone jigsaw piece.

It is, of course, a truism that energy is the lifeblood of the economy and our society. Electricity and gas demand, for business and households, must be met safely and securely on a continuous basis 365 days a year. Energy policy has a pivotal role to play in creating the conditions for economic recovery and job creation. Building major infrastructure today is becoming more challenging, yet most people understand we cannot attract investment and provide jobs without a modern energy system. Water and energy supplies are at the top of the priority list for those thinking of investing in Ireland. Our ability to rebuild the economy, attract and retain foreign investment, sustain Irish enterprise, create jobs and growth, deliver regional development and ensure the well-being of the people all depend on this. Ireland has undergone a considerable transformation in its energy policy in recent years, driven by ambitious targets for renewable energy, a substantial increase in energy efficiency and the continued opening up of gas and electricity markets to competition, with resultant benefits for business and domestic consumers.

Development of the high voltage electricity grid, as planned in EirGrid's Grid25 strategy, is critical to our long-term economic recovery. Grid25 is a major initiative that will put in place a safe, secure and affordable electricity supply throughout Ireland. It will take several years to complete and represents an investment of €3.2 billion. It involves extensive work throughout the country, including building 800 km of new power lines and upgrading 2,000 km of existing lines, double the size of today's grid. Some colleagues have said we should bide our time because technology is changing and becoming cheaper. The problem with energy projects is that we are talking about a ten to 15 year lifespan. We do not want to find ourselves in the circumstances in which the neighbouring island has found itself, where it has a real fear about security of energy supply in the immediate years ahead.

Grid25 will reduce our dependency on imported fossil fuels by putting in place the infrastructure to enable us to use our own natural resources, help us to create less carbon waste and enable us to reach our 40% targets for the generation of electricity from renewable sources by 2020. I could engage at length with Senator Sean D. Barrett on this issue, but we are part of a committee of nations, the European Union, and have mandatory targets to reach. Most agree that the decarbonisation of our electricity system is a good idea. The Government wants to be able to give a strong and consistent message to Irish businesses and multinationals and citizens that Ireland's electricity networks are robust, modern and safe. Grid25 must be a practical illustration of our collective and continuing commitment to large-scale investment in electricity infrastructure.

The national investment programme in the electricity transmission and distribution grids will provide capacity to facilitate regional economic development alongside the development of renewable energy sources. It will allow for long-term growth in the demand for electricity

and ensure efficient operation of the all-island single electricity market. Our ability to rebuild the economy, deliver regional development and so much else is dependent on significant energy infrastructure. Ireland needs to deliver a world-class electricity transmission system in all regions which meets the needs of Ireland in the 21st century. The network investment programmes by the State energy companies over recent years have given us energy networks that have met the challenges of severe weather episodes and record peak demands. Ireland's energy networks compare most favourably with those of other countries in terms of safety and resilience. Continuing the steady level of development and renewal of the networks is essential to ensure that Ireland's energy system is fit for purpose, safe and secure, and ready to meet increased demand as economic conditions improve.

EirGrid was established as a statutory agency to deliver a safe, secure and affordable electricity supply. I stress that the Government does not and should not direct EirGrid to particular sites, routes or technologies, as we made clear in our document Government Policy Statement on the Strategic Importance of Transmission and Other Energy Infrastructure of July last year. Senator Byrne has read that document but, having listened attentively, I must say with the greatest respect that other colleagues have not read it. Gone are the days of Aristotle, who could be an expert on every area. One cannot be an expert in everything today. It is too complex a world. However, that is the cornerstone document in approaching this issue.

On what seems to be the core issue of overgrounding versus undergrounding, experts assert that there is no single right solution that applies to every development and that technical solutions must instead be project-specific. EirGrid has confirmed that its planning applications must include a published formal assessment of the available alternatives for each project for consideration by An Bord Pleanála. It has been asserted by several Members of the House that EirGrid will not do so and that EirGrid has a closed mind or that I have a closed mind, and I refer them to that paragraph in stating that is not the case. Conventional overhead line is still the most common solution adopted both worldwide and in Europe, and it still offers significantly lower investment costs than any underground alternative. More than 95% of high-voltage transmission lines in Europe are overhead lines, and construction of 400 kV lines is continuing in all EU countries.

Every Member of the House has brought to this debate the real concerns of people out there, which I entirely empathise with and understand, but we also have a habit of assimilating all the canards that are out there and regurgitating them here as if they were facts. Many of the canards are precisely that. They are baseless, just as the charges against telephone masts were baseless. For example, I will take up this claim that undergrounding is now the norm in Europe. I have a list giving the number of kilometres of 400 kV overhead lines and the number of kilometres of 400 kV lines that go underground in each country in Europe. The percentages of wiring that is underground are as follows: Austria, 1.94%; Belgium, zero percent; France, 0.1%; Germany, 0.34%; Great Britain, 1.91%; the Netherlands, 1.43%; Spain, 0.28%; Switzerland, 0.45%; and so on. One can single out Denmark, as one can single out Norway when we are discussing all that oil I have given away to the multinationals while not paying attention to the fact they have not yet found any oil. However, according to Fintan O'Toole and the rest of those sitting on the ditch, I should impose-----

Senator Brian Ó Domhnaill: Would the Minister tell us if he knew?

Deputy Pat Rabbitte: -----a Norwegian-style fiscal regime. Similarly, Denmark is not typical of anything. It may be admirable in many respects, but that is another story. The Danes

are not coming out of a bailout programme either.

Senator Thomas Byrne: The Minister was going well until he blamed the bailout.

Deputy Pat Rabbitte: However, I note that cost data can change and cost estimates are always uncertain, which emphasises the need for the project-specific solutions I referred to earlier.

While the case for proceeding urgently with energy infrastructure is critical to the national interest, many are concerned about the impact that new transmission lines and other energy infrastructure can have on the landscape, on the environment and on local communities. It is therefore essential that Grid25 and other energy infrastructure be taken forward on the basis of the best available knowledge and informed engagement about the impacts and costs of different engineering solutions.

I am, of course, conscious that public acceptance of new infrastructure is a major challenge. Social acceptance and understanding of our need for this infrastructure are both critical. I fully expect EirGrid will always undertake and communicate well-informed, objective and authoritative analysis, thoroughgoing impact assessment and pre-planning consultation in arriving at optimal routes, technology choice, design and costings, and that is the expectation of the Government.

In addition to extensive statutory and non-statutory public consultation, EirGrid must adhere to national and international standards on health, environment, biodiversity, landscape and safety as an intrinsic part of the planning process. Compliance, together with appropriate impact mitigation measures, is central to the environmental impact assessments that form the basis of planning applications to An Bord Pleanála. This includes compliance with electromagnetic frequency exposure limits set in the guidelines published by the International Commission on Non-Ionising Radiation Protection and associated EU recommendations, and national and EU legislation on the environment, habitats and biodiversity. Somebody wants me to produce a scientist who says, “No - never - in no circumstances will such a thing happen.” One knows well one would be waiting until the cows came home before that happened. It does not happen in the real world. Senator Sean Barrett made the point about the Rush to Woodland connector. The east-west interconnector is an undersea cable; it is a different technology. It would not make any sense for the transmission lines to come up overhead when they come off the seabed. While the conflict Senator Byrne described was going on with regard to the Meath-Tyrone line, I was receiving deputations from Rush about undergrounding.

Senator Thomas Byrne: Only Rush. Not from Meath people. There was not a word in Meath about it.

Deputy Pat Rabbitte: No doubt they herald their fears genuinely, but we will have to put it overground or underground, or else we are going back to the cave. People ought to make up their minds on that.

I take this opportunity to underline again the need for early and ongoing engagement and consultation with local communities. This is essential for building public confidence. The consultation process, as well as the planning and consent process, needs to ensure timely, sustainable and acceptable outcomes for all stakeholders.

I believe Grid25 and other essential energy infrastructure will have positive impacts for lo-

cal communities. Senator Byrne dealt with the question of community gain, which I believe is hugely important as we go forward. My colleague, the Minister of State at the Department of the Environment, Community and Local Government, Deputy Jan O'Sullivan, is involved in discussions with me with regard to the issuing of new planning guidelines. We emphasise the appropriateness, for both State companies and other energy project developers, of examining appropriate means of building community gain considerations into their project budgeting and planning. We fully support a community gain approach in the delivery of energy infrastructure.

Before closing, it would be useful to place on the record what the International Energy Agency, in its country review of Ireland in 2012, stated:

Delays in building the necessary [grid connections and transmission] infrastructure are likely to result in wind curtailment, in unnecessarily increased balancing challenges and costs, and also in a potential non-compliance of the national renewable energy targets for the electricity sector. The planning, consenting and local consultation process will need to ensure that it is able to take fast and reliable decisions for all stakeholders. Only through better planning and coordination, including the local planning authorities and local communities, will Ireland ensure that it meet its ambitions and targets. The planning, consenting and local consultation process will need to ensure that it is able to take fast and reliable decisions for all stakeholders. Only through better planning and co-ordination, including with the local planning authorities and local communities, will Ireland ensure that it will meet its ambitions and targets.

No Government can walk away from its responsibility to provide the country with a secure energy supply, nor can any Government inflict unnecessary costs on energy consumers to allay concerns if they are not well founded. I reaffirm that it is Government policy and in the national interest, not least in these still precarious economic circumstances, that infrastructure investment programmes are delivered in the most cost-efficient and timely way possible, as well as on the basis of the best available knowledge and informed engagement on the impacts and costs of different engineering solutions. I am happy that the pre-application process has started and that consultation and engagement on the issues are well under way. It would show very little confidence in the planning system if we thought these issues should be decided on before they had been properly ventilated, let alone considered and decided upon by the appropriate bodies. Of course, the consultation phase produced arguments, but that is what it is designed to do. Next comes the phase when these arguments will be examined and tested.

The proposition that the Minister of the day should drive a coach and four through the planning consultation process under way and seek to pre-empt the outcome thereof is something that this House should reflect on. The Seanad, as part of the Oireachtas, put the planning laws in place after some less than edifying experiences in the past. I greatly doubt that the Members of this Seanad are advocating that the Minister of the day should be empowered to dispense with the law and give directions himself.

As stated, the pre-application process has started and consultation and engagement on the issues are under way. I would, however, be very slow to commit in advance to a course that would inevitably involve imposing hugely significant additional costs on the electricity consumers of Ireland for decades to come. I certainly could not commit the Government to such an imposition, unless and until the argument for doing so was comprehensively established. Let us await the outcome in the context of whatever decision will be made. I urge this House to be equally methodical and painstaking in its deliberations and not to rush to judgment before all

the evidence is in.

Senator Brian Ó Domhnaill: I commend Senator Rónán Mullen for tabling the motion. This is an issue which affects people in communities throughout the country. The Minister and the Labour Party have moved a million miles from the position they held on wind turbines and overhead power lines, particularly in my constituency in County Donegal, when they were in opposition.

Deputy Pat Rabbitte: It never happened. I have never previously engaged with this debate during my 30 years in politics. As it never happened, the Senator should, please, confine himself to the facts.

Senator John Gilroy: That is a matter for the Senator to consider.

Senator Brian Ó Domhnaill: The facts are that the Labour Party did engage in the debate and there is evidence that it did so in my constituency when power lines were being erected there in 2001 and 2002.

On the general issue to which the motion relates, there is a need to protect local interests and communities. Whether it is a farmer who is developing a project or, as in this instance, a company such as EirGrid or a multinational, the genuine views of local communities are not being dealt with in an independent, transparent manner. That is what is at issue. The Minister referred to the town of Rush which my colleague, Senator Darragh O'Brien, represents. The Senator has informed me that the one Member of the Oireachtas who raised major concerns about that matter at the time and who wrote to all of his constituents to alert them to the fact that there were real concerns about overhead power lines and that the then Government should insist on the use of underground power lines is the Minister for Health. Is it the case that when one is a Government Minister, the concerns of constituents become a distant memory? Should people's concerns to the effect that EirGrid or some multinational company is going to rape the country's potential for generating wind energy be brushed aside?

The request contained in the motion is reasonable. The Minister's Department issued a policy direction in July on the suspension of the granting of planning permission for any wind energy project pending consultation. I welcomed that direction because it advocated a good course of action. The same line should be followed in this instance and the process should be suspended until mediation takes place or new legislation is introduced. The latter would reflect the spirit of the July press statement issued by the Minister's Department. That press statement and the motion brought forward by Senator Rónán Mullen are not a million miles apart. It would be very wrong for anyone to state this is not the case.

The motion is constructive and should be supported. Regardless of whether we are in government or opposition, as legislators, we should always listen to the views of the people, even if they relate to the impact the erection of massive turbines might have on tourism or the value of private property or the health implications involved such as children contracting leukaemia or some other disease. We must stand back and give the process some breathing space. It must not be the case that, irrespective of the outcome of the consultation process, the application will proceed on the basis of cost. If there is an extra cost involved in running the lines underground, EirGrid will obviously opt for the most financially attractive option.

Senator Rónán Mullen: I thank all those who contributed to this very important debate. I also thank the Minister for coming to the House to take it. As he indicated, this is the first

opportunity he has had to debate this issue. I would have liked it if the Minister for Finance had come before the House last evening to respond to the Adjournment matter I had raised in respect of credit unions. It has been difficult to get the relevant line Ministers to come before the House and take responsibility for matters relating to their portfolios.

I compliment the Minister, Deputy Pat Rabbitte, on the passion he displayed during his contribution. On the Government's general approach, I wish to paraphrase an old political saying and say to the Minister, "Let me tell you why we don't trust you." I have no difficulty with him defending his honour and he is right to do so if he never made any false promise. However, I am somewhat bemused because I recall him making one statement to the media to the effect that he would not find it shocking or surprising that people would make promises during election campaigns and then turn their backs on them in the aftermath. I will not go so far as to say he endorsed that process, but he certainly did not seem to be terribly offended by it. That is what has offended many people here.

Deputy Pat Rabbitte: That is a Vincent Browne twist and I suspect the Senator knows it.

Senator Rónán Mullen: I will accept an argument from anyone who defends himself or herself from a Vincent Browne twist.

Senator Mark Daly: Is that a dance move?

Senator Rónán Mullen: The Minister is surrounded by people who said one thing when they were seeking votes and who have done quite another since they entered office. One of those individuals was mentioned earlier. People do not trust the Government because they are aware of what has happened to individuals such as 65 year old Teresa Treacy who was jailed for contempt when she refused to obey an order to allow EirGrid and the ESB to carry out work on her land near Tullamore. She was seeking to protect the trees on her land. I am not stating people should act in contempt of court, but they are concerned that companies such as EirGrid and the ESB have no difficulty in riding roughshod over their rights. The Minister said it would display very little confidence in the planning system if these issues were decided on before being properly ventilated and considered. That is why I feel vindicated in tabling the motion. If the Minister had read its precise terms, he would be aware that as regards doing what he suggests - namely, returning to the bad old days when Ministers made arbitrary decisions - it certainly does not recommend that matters be referred to Ministers for arbitrary determination. It recommends that, unless it is physically impossible, there be a requirement that high voltage electricity transmission lines be placed underground. I did not engage in any scaremongering about health and acknowledge the fact that there are disputes in this regard.

6 o'clock

I did so on the basis that I do not believe those who say one can only determine the costs by reference to the short-term costs of the alternative approaches. I have pointed out that this will damage land values and tourism and diminish the quality of rural and community life. It is short-term thinking of a kind we have seen far too often. The Minister may be correct to a point that EirGrid has held consultation days. Senator Bacik mentioned open days, but open days are no substitute for an open mind. People fear these sessions have been not so much consultation as an expensive public relations exercise. There is a hell of a difference. The EirGrid project as it stands is ill-conceived and it will be damaging to rural communities.

While the Minister is correct to defend the ability of Mr. O'Connor, it is legitimate to say

that we do not have a problem with the probity of an individual but take issue with the appropriateness of making an appointment in that regard. People have a troubling sense that EirGrid's chief aim is to force through controversial planning proposals, which suggests there will be determination bordering on ruthlessness rather than consultation. That is why people are massing in their thousands in our communities. I spoke at a recent meeting in Trim attended by more than 1,000 people, who were disgusted at the way they were given a completely different message once the parties who had made certain promises were elected to Government. That is why people do not trust the authorities, big organisations or politics in this country. They have legitimate grounds for concern and, much as I respect the Minister's mastery of his brief, I do not think he has done enough to allay those concerns.

Amendment put.

The Seanad divided by electronic means.

Senator Rónán Mullen: Under Standing Order 62(3)(b) I request that the division be taken again other than by electronic means.

Amendment put:

The Seanad divided: Tá, 26; Níl, 25.	
Tá	Níl
Bacik, Ivana.	Barrett, Sean D.
Brennan, Terry.	Bradford, Paul.
Burke, Colm.	Byrne, Thomas.
Clune, Deirdre.	Crown, John.
Coghlan, Eamonn.	Cullinane, David.
Coghlan, Paul.	Daly, Mark.
Comiskey, Michael.	Healy Eames, Fidelma.
Conway, Martin.	Leyden, Terry.
Cummins, Maurice.	MacSharry, Marc.
D'Arcy, Jim.	Mooney, Paschal.
D'Arcy, Michael.	Mullen, Rónán.
Gilroy, John.	Norris, David.
Harte, Jimmy.	O'Brien, Darragh.
Hayden, Aideen.	O'Brien, Mary Ann.
Henry, Imelda.	O'Donovan, Denis.
Higgins, Lorraine.	O'Sullivan, Ned.
Keane, Cáit.	Ó Clochartaigh, Trevor.
Moloney, Marie.	Ó Domhnaill, Brian.
Moran, Mary.	Ó Murchú, Labhrás.
Mulcahy, Tony.	Power, Averil.
Mullins, Michael.	Quinn, Feargal.
Naughton, Hildegard.	van Turnhout, Jillian.
Noone, Catherine.	Walsh, Jim.
O'Keeffe, Susan.	White, Mary M.

Seanad Éireann

O'Neill, Pat.	Wilson, Diarmuid.
Sheahan, Tom.	

Tellers: Tá, Senators Paul Coghlan and Aileen Hayden; Níl, Senators Rónán Mullen and Feargal Quinn.

Amendment declared carried.

Question put: "That the motion, as amended, be agreed to."

The Seanad divided: Tá, 26; Níl, 24.	
Tá	Níl
Bacik, Ivana.	Barrett, Sean D.
Brennan, Terry.	Bradford, Paul.
Burke, Colm.	Byrne, Thomas.
Clune, Deirdre.	Crown, John.
Coghlan, Eamonn.	Cullinane, David.
Coghlan, Paul.	Daly, Mark.
Comiskey, Michael.	Healy Eames, Fidelma.
Conway, Martin.	Leyden, Terry.
Cummins, Maurice.	MacSharry, Marc.
D'Arcy, Jim.	Mooney, Paschal.
D'Arcy, Michael.	Mullen, Rónán.
Gilroy, John.	Norris, David.
Harte, Jimmy.	O'Brien, Darragh.
Hayden, Aileen.	O'Donovan, Denis.
Henry, Imelda.	O'Sullivan, Ned.
Higgins, Lorraine.	Ó Clochartaigh, Trevor.
Keane, Cáit.	Ó Domhnaill, Brian.
Moloney, Marie.	Ó Murchú, Labhrás.
Moran, Mary.	Power, Averil.
Mulcahy, Tony.	Quinn, Feargal.
Mullins, Michael.	van Turnhout, Jillian.
Naughton, Hildegard.	Walsh, Jim.
Noone, Catherine.	White, Mary M.
O'Keeffe, Susan.	Wilson, Diarmuid.
O'Neill, Pat.	
Sheahan, Tom.	

13 November 2013

Tellers: Tá, Senators Paul Coghlan and Aideen Hayden; Níl, Senators Rónán Mullen and Feargal Quinn.

Question declared carried.

Adjournment Matters

Mortgage Arrears Proposals

Senator Fidelma Healy Eames: Tá fáilte roimh an Aire Stáit, who is the right man for this Adjournment debate. He is not quite the Minister for Finance but he is in there with a shout. This Adjournment debate concerns why the Central Bank is not using the mortgage arrears resolution process, MARP, as an instrument to benchmark against how the banks are doing to help customers in arrears reach a mortgage resolution. I am also asking about the progress made towards achieving targets.

We have a huge problem on our hands. Some 142,892 mortgages are in arrears for more than three months, which amounts to one in every five homeowners. Some two thirds are in negative equity, which is a trap. This is about nothing other than the family home. I cannot think of anything more important to a family. What has the Government done to help? It has introduced the Personal Insolvency Act, which is good but very slow. We should not need to go down that route if a resolution can be sorted out between the bank and the homeowner in arrears.

This is where the Central Bank's MARP comes in. In March 2013, the Central Bank introduced the MARP, which has five detailed stages - communication, the completion of a standard financial statement, assessment, resolution and appeal. If people are not happy with the appeal, they can go to the Financial Services Ombudsman. I was very surprised that, at the September 2013 meeting of the Joint Committee on Finance, Public Expenditure and Reform, the banks were allowed to produce vague, general statements on their progress towards achieving the targets set by the Government to help people reach a resolution. At the very least, the banks should have been asked to specify how many mortgages in arrears were at various stages of the MARP. This would have given a clearer indication of the work the banks were doing to assist customers to find a sustainable mortgage solution. MARP is a valid instrument yet the Governor, Professor Honohan, and the Central Bank are not using the instrument.

A colleague tabled a parliamentary question and the reply stated: "The Central Bank of Ireland has informed me that it does not track the number of borrowers covered under the MARP but does track the number of mortgage accounts in arrears". What is the point if we do not have joined-up thinking between the banks, the Central Bank and homeowners in arrears? The Government is out there setting targets. How can one manage a process if one is not measuring it?

The latest quarterly figures from the Central Bank, issued in June, show, as I said, almost 143,000 mortgage accounts in arrears, 79,000 of which are in a restructured arrangement. These are quite shocking figures. What about the 63,000 or so mortgage accounts that are in arrears but have not been restructured? There are huge gaps in the process. What is the point of having a mortgage arrears resolution process if the Central Bank and its Governor, Mr. Honohan, do not use that valid and useful instrument to track the progress of its constituent banks in working with customers to achieve mortgage solutions? How can the Government reliably establish the progress made in achieving the targets that have been set if it is not more tightly managing the process?

The bottom line is that the Central Bank cannot manage what it does not measure. It is a process worth managing because it is, after all, about helping people to keep their homes. We must have a more proactive approach by the Central Bank and the Governor on this matter. The last Government was guilty of light regulation in this area, while the former Regulator, Mr. Neary, did not manage the process in an effective way. I am concerned that danger may lie ahead if Mr. Honohan does not take a more proactive stance with the banks to ensure sustainable solutions are devised for home owners. What is the point of having the useful instrument that is the mortgage arrears resolution process if it is not used?

Minister of State at the Department of Finance (Deputy Brian Hayes): I thank the Senator for raising this important issue, which I am taking on behalf of the Minister, Deputy Michael Noonan, who cannot be here this evening. The Government has put in place a comprehensive strategy to address the mortgage arrears problem, as the Senator outlined. A key part of this is the Central Bank's mortgage arrears resolution targets, MART, initiative. This process, which was launched last March, requires the main mortgage lenders, in the first instance, to propose sustainable solutions to their mortgage customers who are more than 90 days in arrears. It also requires the lenders to conclude sustainable solutions with borrowers.

The first target set by the Central Bank required the relevant banks, by the end of June this year, to propose a solution for 20% of their mortgage arrears customers. In his presentation to the Oireachtas Committee on Finance, Public Expenditure and Reform in September, the Governor indicated that, based on returns from the individual banks, such proposals were made in respect of almost 34,900 primary dwelling and buy-to-let mortgages. This amounted to approximately 33% of the relevant mortgage arrears accounts, which was higher than the 20% target.

Sustainable solutions are key, as the Senator rightly said, for borrowers in genuine difficulty and, in the long run, for the banks themselves and the wider economy. While it is up to the lenders to propose sustainable solutions in the first instance, it is also necessary to verify independently - this is the key issue - that such proposals are sustainable and durable. That is why the independent audit process is fundamental to the overall MART process. It is important to note that when the Governor spoke at the committee meeting in June, he would not have had the full, independently verified data at his disposal. The Central Bank has informed me that audit work on the first returns by banks under the MART process is well under way and it expects to receive initial reports on these later this month.

While the Central Bank is not in a position to disclose data on an individual bank basis, it has noted a significant mix of "restructure" versus "loss of ownership" treatments across the banks. Those restructures include term extensions and arrears capitalisation, to mention just two. The emphasis on legal action is intended to press those borrowers in arrears who, despite repeated efforts by the bank, have so far failed to engage in a meaningful way. It is anticipated,

therefore, that many of the cases in respect of which a legal route resolution is currently proposed will not, in the end, lead to repossession. Where a customer engages or re-engages with the lender, it is expected that an alternative long-term sustainable solution will be achievable in many cases.

The issue of a “legal letter” is not in itself a solution to a mortgage problem. This is a point I made perfectly clear in a radio interview I gave after the June committee meeting. The code of conduct on mortgage arrears makes clear that banks can commence legal proceedings in respect of a mortgage secured on the primary home of a co-operating borrower only where they have fully engaged with the borrower and taken into consideration all the options for alternative repayment arrangements offered by them as a way of addressing a mortgage difficulty. Banks which do not comply with the code of conduct are not acting in a manner consistent with the MART process.

The MART process is an ongoing one. The audit that is currently under way relates to the quarter two proposed solution returns made by the relevant banks. These banks are now due to submit their end of quarter three returns with a target for proposed solutions set at 30%. They are required to have proposed solutions to 50% of their arrears customers by the end of December, and for 70% by the end of March 2014. Furthermore, they are required - this is the crucial point, irrespective of proposed solutions - to have concluded agreements with 15% of their customers by the end of 2013, and with 25% by the end of March 2014. The Senator should bear in mind that these targets are not just a matter of Government policy. They are reflective of our firm commitment in this regard to the troika, which has correctly highlighted mortgage arrears as an area in which we must make much better progress. All of the returns will be subject to audit.

It is important that the pace of sustainable restructures should intensify. We all accept that. The new mortgage arrears data published by my Department, which relate to the majority of the Irish market, suggest that a certain momentum is now building. For example, at the end of August, some 41,000 mortgage accounts on primary dwelling houses had been permanently restructured. This included more than 2,500 split mortgages, of which the Government is anxious that lenders should offer more. The banks must build on this progress and show that solutions are available to borrowers who engage with their lender. As our statistics show, these restructures can be offered to borrowers who are already in arrears as well as those who feel they are in danger of going into arrears.

In summation, all of the necessary elements to effect meaningful solutions to the mortgage arrears problem are in place. The expectation now is that the banks, with the co-operation of customers in difficulty, will work together to ensure the issue is addressed in a definitive manner over the course of 2014. It is the firm intention of the Government that, 12 months from now, we will be in an entirely different position, given the number of solutions that are proposed and the actual conclusion of those sustainable solutions, 25% of which must be in place by the end of March next year. The requirement that all solutions be sustainable is crucial. A situation where people are denied a reasonable and workable solution is bad for the individuals concerned, for the banks and for the broader economy. To reiterate, it is our firm intention that one quarter of all customers in mortgage arrears will have concluded permanent and sustainable solutions with their lenders by the end of March.

Senator Fidelma Healy Eames: I have heard what the Minister of State has had to say but we have an opportunity to make even more progress. As he said, the quicker we are out of this,

the better. We will not solve the problem completely but there is a missed opportunity here, as written in the reply. It states:

The code of conduct on mortgage arrears makes clear that banks can commence legal proceedings in respect of a mortgage secured on the primary home of a co-operating borrower only where they have fully engaged with the borrower and taken into consideration all the options for alternative repayment arrangements offered by them as a way of addressing a mortgage difficulty. Banks which do not comply with the code of conduct are not acting in a manner consistent with the MART process.

Why is the Central Bank not using the mortgage arrears and resolution process to tightly measure and manage progress? The audit referred to by the Minister of State would be made easier if the MART process was enforced and reported, not just by commercial banks but by the oversight of the Central Bank. We are missing an opportunity to make more progress.

Deputy Brian Hayes: With respect, I am not sure I fully understand the Senator's question. If the Senator is concerned about a lack of oversight on the part of the Central Bank, whose task it is to manage this on behalf of everybody, all I can say is that the information given by the Governor of the Central Bank to the committee was given in the initial phase over the summer because he had not concluded an independent audit. That will be published by the end of the month and we will be in a greater position for verification. We can use terms until the cows come home but the net issue is whether the 100,000 people in this position will find a solution to their problem. I say to the Senator, on behalf of the Government, that we are more than confident that the approach being adopted by the Central Bank, which is putting out the information on a quarterly basis, along with the information put out by the Department of Finance on a monthly basis - a new initiative on our part - will give us the full view of the banks getting on with the task.

Senator Fidelma Healy Eames: The Central Bank can do more.

An Cathaoirleach: I cannot allow further debate on this.

Deputy Brian Hayes: We could all do more. Much progress has been made and more needs to happen. The Senator will see it in the next 12 months.

Senator Fidelma Healy Eames: I hope so. I am watching it.

Driving Licence Issues

Senator Susan O'Keefe: Like everybody else, I am keen to ensure that national documents such as driving licences and passports are fraud-proof, and I am aware that Interpol has often discussed this, particularly with regard to passport fraud. The 34 national driver licence services centres have, at least in theory, been put there in order to counter fraud with regard to driving licences. I could not find the figures for fraud relating to driving licences but that does not mean they do not exist. Perhaps the Minister of State could highlight those, as we often use the term in a broad sense but when we try to find specifics, it proves to be a wee bit more difficult.

Despite great effort, including ringing the national driving licence service centres and the Department, I could not find out the cost of this new network of centres. I appreciate that bring-

ing together a network of centres is not an easy task and this was done in order to streamline the issuing of driving licences. In the immediate aftermath of the opening of the centres, there has been an enormous backlog, which was not anybody's intent. I am not here to criticise in that regard and I assume it will be sorted.

There are issues about which to be worried. Why are we bothered to have people have photographs and signatures taken when we still use the post offices to issue passports? Is it the intent of the Government to change the system for passports, given there is much more fraud relating to passports? They are both documents of identity and if there is a new system for one, perhaps there will be a new system for the other. The other matter about which I am concerned relates to the idea that we have a network of post offices across the country. The Minister of State is from a rural constituency so he knows the value of those offices, which is not to be undermined or cheapened in any way, shape or form. They are very useful places to pay for bills and television or dog licences. Various banks use them for banking facilities, and one can get a passport through the post office. I had a very good experience in that regard, taking the hassle away from the Passport Office when it was very busy. I appreciate that it may be possible that post offices put in for the tender but did not get it.

Are we properly proofing those tender applications for the rural communities, which in this case are assured there is only a 50 km drive if people want to get a driving licence? A young person seeking a driving licence may have to ask somebody for a lift, and people are short of money and it is a bit of a schlep to get to various places. There is only one centre where I live in Sligo, and Donegal only has two centres in Letterkenny and Donegal; many areas in the two counties are quite a distance from these centres. There is only one centre in Mayo, along with half a centre in Belturbet. It seems the network is incomplete and I wonder if the Government's intention is to extend it, or perhaps post offices may come to the rescue in this matter, given that they form a network in their own right. They serve a valuable purpose in more ways than we imagine.

Will the Minister of State provide the cost of the centres and the level of fraud that is recorded? Is it the Government's intention to change the system for passports and has the proofing for rural communities been taken into account in this case? If it has not, could that process be incorporated in future? I am sure the Minister of State is well aware of the good work of Irish Rural Link, particularly Mr. Seamus Boland. Those people are always to the fore in asking us to proof issues for the rural community, and I cannot see how that could have been missed in this case.

Minister of State at the Department of Tourism, Culture and Sport (Deputy Michael Ring): I thank Senator Susan O'Keeffe for raising this important issue. The new national driver licensing service is a matter of widespread public interest and I am happy to have a chance to discuss it. We should first be clear about the facts of what has changed in the area of driver licensing during the past year. Before January 2013, driver licences were issued by the motor taxation offices of the local authorities. This involved over 30 different motor tax offices, all providing staff and resources to the processing of driver licence applications and the issuing of licences. Effectively, there were over 30 different licensing authorities.

The EU requirement to introduce a plastic card driving licence from January 2013 meant that there would be significant changes in the way licences were produced, and this provided an opportunity to review the entire system for driver licensing. Following from a study which examined the alternative ways driver licensing might be organised, the Government decided

in May 2011 to move to a centralised national driver licensing service. At the same time, the Government decided that the Road Safety Authority would be given charge of this service. Centralising the service offers a number of benefits over the old system, and it ensures greater consistency of practice and service across the country and will be more efficient and cost-effective. The creation of a single service also provides for greater security and, under the RSA, offers a one-stop-shop to the public, from theory test to driving test to licence issue.

The new system, designed by the RSA, involves three outsourced elements, overseen by a specialist unit based in the RSA headquarters in Ballina. The three outsourced elements are a card production facility, a front office for engaging with customers and a back office to process applications. Contracts were awarded by the RSA for all three services following competitive procurement processes. The contract process was a matter for the RSA and neither the Minister nor the Department had any role in it. As an open competitive process, any interested party was entitled to submit a tender for consideration.

Last January, the RSA formally became the national driver licensing authority. Between 19 January and 25 October of this year, there was a transitional arrangement under which the local authorities continued to provide customer services relating to driver licences on behalf of the RSA. On 29 October, the RSA assumed full responsibility for the service. Under the front office contract, provided by SGS Ireland Limited, customer services are offered at 34 full-time centres and two part-time centres around the country. They are open from 9 a.m. to 5 p.m., Monday to Friday, and from 9 a.m. to 2 p.m. on Saturdays. They also remain open through lunchtimes. These opening hours are more flexible than those previously available and will make it easier for customers to visit at a time convenient to them.

7 o'clock

Furthermore, people will be able to use any of the offices to apply for a renewal of their licence rather than, as under the previous system, only the centre in their own local authority. The new network provides a service within a 50 km distance of 95% of the population. There were some teething issues with the launch of the new service on Tuesday 29 October, which the RSA has advised me have now been substantially resolved. The main difficulties were delays for customers in some NDLS centres, the customer helpline being out of service for part of the first day, and an IT problem at 12 of the 34 centres on the morning of the first day. These problems were in part caused by a high level of demand. A number of solutions have been put in place by the RSA to address the earlier difficulties experienced. These include the assignment of additional staff, the roll-out of a further information campaign and the deployment of a manual booking system of which applicants can avail. In the course of the past few days, the NDLS has operated a manual booking system to manage queues on the ground and that has helped to reduce queues across the network. Additional staff have been and will continue to be assigned on the ground to ensure that customers do not have unduly long waits.

Furthermore, the RSA has indicated to me that it is working with the front office contractor to develop an online booking system to be deployed within a month. I understand that, in light of the volume of demand at various front office locations, it has been proposed that the booking system will be deployed across all of its offices. I also understand that provision will be made for emergency situations by reserving some capacity for customers who need a licence at short notice.

The reason people are required to attend in person to have their photograph taken is that the

new system is designed to be compliant with level 2 of the standard authentication framework environment, SAFE 2, developed by the Departments of Public Expenditure and Reform and Social Protection. SAFE 2 is a protocol for ID verification designed to improve security for ID, and is also used for the Department of Social Protection's public service card. Among other safeguards, it requires people to attend in person so that their image is captured as part of the verification of their identity. That is an important measure to prevent fraud. It is important to also state that the requirement to attend in person occurs only once, when the person receives his or her first credit-card-style driver's licence under the new system. After attending once in person, people can renew their licences through the post and are not required to attend the centres in person again when their licence needs to be renewed or updated.

The move to a centralised driver licensing service is the right one in the long term and will provide a better service to the public as well as greater security and better value for money. While there have been teething troubles with the new system, they are being dealt with quickly and effectively by the RSA.

Senator Susan O'Keeffe: I appreciate some of the clarification provided. Perhaps it was unfair of me to ask about the cost of the service when it was not in the original question. Should I redirect my queries to the RSA? In terms of the fraud concerning driving licences, I imagine that is something on which the Department has figures. I appreciate entirely that the RSA was the contracting authority and therefore set out the tender. The Minister of State should forgive me for not understanding whose role it is. It is not clear whether it is the Department's role or the role of the RSA to proof such tenders for rural travellers. The Minister of State knows how far it is from Kinlough to Carrick-on-Shannon or even to Sligo. It is quite a distance. If one lives in Glenties in Donegal one would also have to travel quite a distance. Such people are not catered for in the current system. I wonder what we can say to those people.

Deputy Michael Ring: I again thank the Senator for raising this important issue. Problems have arisen with it and people are concerned. I am aware of the case of a young man aged 17 who had all his documentation, had completed his theory test and was entitled to his licence but was sent home because he did not have proof of address, such as an ESB bill, and neither did he have proof of his PPS number. I was outraged by that but it was in keeping with the rules and regulations.

Senator O'Keeffe inquired about the cost. I will ask the Department to respond to her on the three issues she raised, including, in the next few days, the one relating to the cost. The Senator is correct that fraud was a serious issue. I am unaware of whether the system will be adopted in the Passport Office. We have had serious incidents with passports.

Senator O'Keeffe also asked another important question. I agree with her point about local post offices. An Post made an application but in the case of a tender process neither the Minister nor the Department can have any hand, act or part, and rightly so. Local authorities could have made an application but they did not. It was open to any body to make an application for the service. It is necessary to comply with EU regulations on safety and security. We are aware of social welfare fraud and the savings that have been made due to tackling the issue. I welcome anything that prevents fraud in this country. The benefit is that one photograph will be sufficient for a lifetime. One could ask whether we will all still look the same as we do today in 20 years' time or 30 years' time, but they are the rules and regulations and we must adhere to them. The photograph will be secure and nobody else will be able to use it, which is good. I hope it works. I will ask the Department to answer as many of Senator O'Keeffe's queries as

possible.

Services for People with Disabilities

Senator Cáit Keane: I welcome the Minister of State, Deputy Kathleen Lynch. The purpose of the motion this evening is to bring to her attention the situation concerning the Dyspraxia Association of Ireland, which is this country's only charity providing vital support for people with dyspraxia. That is in the absence of any unified position from the HSE. The association depends heavily on volunteers, with the exception of one part-time member of staff, namely, the development officer. The retention of this part-time position is vital for the continuation of the service. Due to the depleted financial situation of the association, the development officer will be made redundant on 15 November, in two days' time. The fantastic service that has been provided by the development officer and the volunteers will no longer exist.

Could the Minister of State indicate what could be put in place to assist the Dyspraxia Association of Ireland so that it can continue to provide this vital service? As she is aware, dyspraxia is a lifelong neurological disorder which affects cognitive ability and causes difficulty in planning and carrying out sensory motor tasks. It affects up to 6% of the population, which is a considerable amount, up to 2% of them severely. A total of 5% to 6% of children aged between five years and 12 years are affected by dyspraxia. Boys are three times more likely to be affected than girls. It can affect all areas of development – intellectual, emotional, physical, language, social and sensory - and impairs a person's normal process of learning. Some of those children are very intelligent but because of the effects of the condition they are hindered.

The condition is formally recognised by international organisations, including the World Health Organization. Occupational therapists, psychotherapists and the provision of extra help at school can all help a child with dyspraxia to cope and overcome many difficulties. Awareness of the condition in this country is extremely poor, which means that people with dyspraxia and their parents or carers struggle to get the condition identified in the first instance and they find it very difficult to access the help and support they require. There is no cure, but early intervention, in particular, is important. Could the Minister of State indicate why the HSE does not refer people to the Dyspraxia Association of Ireland so that early intervention can take place? The association addresses the problem, raises awareness and provides a telephone helpline to people who are left out on a limb due to long waiting lists. In some cases people have had to wait for two years without any help or contact. The Dyspraxia Association of Ireland can step in and provide support, mostly on a voluntary basis, and increase awareness. The HSE provides a direct therapy service and there is currently a long waiting list of 18 months to two years for any intervention or occupational therapy. A study by Dr. Madeleine Portwell in 1997 at the Deerport Young Offenders' Institute showed that 61% of juvenile prisoners showed symptoms of dyspraxia ranging from mild to severe. She concluded that early identification would reduce the number of young people who have become school failures and feel that life has nothing left to offer them. Early identification, as the Minister of State knows, is of key importance. We must identify and then help the people concerned. The doubly disadvantaged study concluded that children, young people and adults with dyspraxia were significantly at risk of becoming socially excluded. We all know the problems that such social exclusion can bring. In that context, I ask the Minister of State why the HSE does not, as a matter of course, interlink with the Dyspraxia Association of Ireland? The association cannot do all of the necessary work on its own and people cannot be left for one year or 18 months without help. I ask the Minister

of State to set up a meeting with the association in order that it can show her evidence of what it has achieved to date with very little funding. The association is dependent on corporate and individual donations and has set up an online donations facility to try to deal with its depleted financial resources. Services will no longer be provided by the association in two days time. I, therefore, ask the Minister of State to intervene. I am aware that the HSE in County Louth, working with the association, intervened recently on behalf of 40 people with dyspraxia. That could be used as a template for the future. The association is not looking for much funding. A sum of €70,000 or €80,000 would help considerably. I know that there is some national lottery funding in HSE coffers and perhaps some of it might be used. My plea is urgent and I ask the Minister of State to intervene.

Minister of State at the Department of Health (Deputy Kathleen Lynch): I thank the Senator for raising this matter. I am in no doubt about the seriousness of the current pressures on the health service. We are still in the process of developing a service plan. However, notwithstanding the financial pressures, the Government is fully committed to ensuring the ongoing delivery of vital services and supports to people with disabilities within the confines of the resources available to us. The HSE has been provided with funding in the order of €1.4 billion to fund its 2013 disability services programme for children and adults with disabilities. This represents approximately 11.5% of overall health expenditure. As the Senator probably knows, the majority of this funding is distributed through non-statutory agencies which deliver over 80% of all disability services. There are in the region of 300 such agencies across the country which provide a significant and broad range of services for children and adults with disabilities in partnership with and on behalf of the HSE. It is worth remembering that many children and adults with disabilities can be supported very effectively within mainstream child and adult services.

Dyspraxia is a developmental co-ordination disorder that affects movement and co-ordination. It can affect the learning capacity of some children and for this reason, such children may require additional supports in the school setting to keep up with their peers. I understand a comprehensive range of supports are in place in the school system to support these children.

From a health perspective, there are a number of therapies that can make it easier for people with dyspraxia to cope. These include speech and language therapy to improve speech and communication skills and occupational therapy to find ways for people to remain independent and complete everyday tasks. Such therapy services do not necessarily have to be delivered through specialist disability providers and are frequently accessed through primary care teams and community therapy services.

I am very aware of the excellent work being carried out by the Dyspraxia Association of Ireland on behalf of children and adults across the country with dyspraxia. I also know that the association is not in receipt of a core grant from the HSE and must rely entirely on membership subscriptions, donations and its own fundraising efforts in order to finance its activities. It is not alone in this situation. Numerous organisations around the country which are providing supports for specific diagnostic groups do not receive HSE funding. The funding of these organisations is an issue that is under active and ongoing consideration by the HSE. Pending the completion of the HSE's national service plan for 2014, it is not possible to predict the service levels and funding to be provided next year for the disability sector.

I again thank the Senator for raising this issue.

Senator Cáit Keane: The Minister of State has said additional supports are available in schools, but supports are needed before children start school. She has also maintained that therapy services are available through primary care teams, but, in reality, primary care teams are not present on the ground. The Minister of State has said the funding of organisations such as the Dyspraxia Association of Ireland is under active and ongoing consideration. In that context, I ask her to commit to meeting the association in the context of the service plan for 2014. It is out on a limb and receives no official support. It is providing a great service and taking a lot of pressure off the Department of Health and the HSE. The fact that a considerable number of people with dyspraxia end up in prison is significant in the context of preventive health care. Having said that, some members of the Dyspraxia Association of Ireland are among the most intelligent people in Ireland and all they need is a little help and early intervention.

Deputy Kathleen Lynch: I will find out who is the best person for the Dyspraxia Association of Ireland to meet because it might not be me. Perhaps the new HSE director of social care might be the best person. I will investigate that issue further.

As part of the negotiations on the HSE's service plan, we are seeking a particular sum of money for services for those under 18 years. We must start to deliver services before there is a diagnosis. Children with dyspraxia often have co-ordination difficulties and their clumsiness has been recognised. Speech therapy, physiotherapy and occupational therapy services must be provided alongside the supports available in schools. While a diagnosis is important at some stage, particularly if someone needs more specialised interventions, service delivery should not be conditional on a diagnosis. The Dyspraxia Association of Ireland does an extraordinary job. It has worked in a space that was not occupied by any other service providers and has developed a high level of expertise based on the lived experiences of its members. We must try to co-ordinate the activities of all of the groups providing services and to cut out as much of the duplication of effort as possible. These issues are all being examined.

District Veterinary Offices

Senator Terry Leyden: I welcome the Minister of State at the Department of Agriculture, Food and the Marine, Deputy Hayes, who is a very practical man and I am confident that he will have very good news for me.

The matter I raise is the need for the Minister for Agriculture, Food and the Marine to reverse the decision made by his Department to end front office administration of the district veterinary office on Sacred Heart Hospital Road, Roscommon. The town has had an excellent and long-standing relationship with the district veterinary office going back to the 1960s when tuberculosis was rampant. The office was initially located on Circular Road and then moved to the Convent of Mercy site. It is now based in a beautiful premises on Sacred Heart Hospital Road.

I was in the office on Monday with forms for my own farm. My wife, Mary, was also there recently to discuss grants paid out in 2012. It is very convenient to be able to go to it and receive such good support from the courteous staff who work in it. I commend the staff for the work they do. The office is in a great location in the town and it has parking and other facilities that are second to none.

It is a great disappointment to farmers in the area that it is proposed to close the front of-

office and reduce staff numbers to 1.5 whole-time equivalents, which would not be sufficient to provide a comprehensive service for farmers in County Roscommon. Farming is going through a progressive period at this point, as the Minister of State knows. Roscommon is playing an important role in the production of first-class cattle weanlings and sheep. The reduction of staff numbers from 14 clerical officers to 1.5 whole-time equivalents in the Roscommon office would be a detrimental step for the area. The existing staff are well-trained with a great knowledge of farmers in the region, serving the farming community well over the years. There are successful marts in Roscommon, Elfin and Castlerea, with many livestock exporters in the area providing valuable jobs. They require a fully staffed district veterinary office to provide them with necessary documentation.

A neighbour of mine, Mr. Charlie Clarke, a representative of the Irish Cattle and Sheep Farmers Association, has been very active in highlighting the closure of this office. On Monday night, there was a large meeting, comprising 400 farmers, at Roscommon town mart to discuss the closure. Farmers there could not understand how the Department could move experienced staff from this office to the Department of Social Protection. It defies logic that staff with experience in an export-oriented area would be moved to an administrative unit and one for which they have to be retrained.

There are many livestock exporters in the area such as Mr. Hubert Maxwell who exports to Kazakhstan, Azerbaijan and the Russian Federation. He has expressed great concern about the future of his business if this office is closed. The whole of the farming community in County Roscommon is genuinely concerned about this closure. Farmers would prefer to see this long-standing service continue and do not see the reason it should be transferred to Cavan or Portlaoise. There is enough work in the area for the continuation of this service.

Minister of State at the Department of Agriculture, Food and the Marine (Deputy Tom Hayes): My Department has not closed down the public office of the district veterinary office in Roscommon town. In fact, it intends to maintain a public office in the town.

Following the successful reorganisation of my Department's local office structure in recent years, which resulted in the reduction of the local offices from 58 to 16, my Department conducted a review of the work carried out in the remaining local offices during 2012. The objective of the review was to identify any non-essential work and which, if any, of the essential functions should be organised differently. The review was also to make recommendations which would inform the Department's longer term vision and strategy for delivery of these services in light of reducing public service numbers. The review was in line with the Government's policy which imposes an obligation on all Departments to conduct their business as efficiently as possible.

The review made several recommendations aimed at improving business processes both in the local offices and in the manner in which they implement various schemes, in particular the disease eradication schemes, with a view to reducing the administrative burden on farmers and the cost to the Department of administering these schemes. Two of the recommendations were that cattle passports should no longer be taken up from TB-restricted herds and that the practice of issuing movement permits for clear cattle in reactor herds should be discontinued. The review also concluded that, arising from the investment in technology and the substantial reduction in disease levels in recent years, there was already a surplus of administrative staff in the local offices. It concluded that the implementation of the recommendations contained in the report would result in a significant reduction in the administrative staffing requirements in these offices.

The recommendations relating to the TB eradication scheme have now been implemented and well received by the farming organisations. Implementation of these recommendations has significantly reduced the workloads of the administrative staff in the local offices and, in light of this, my Department further recommended that the administrative functions of the local offices could be more efficiently delivered through one or two centralised offices, thereby leading to a substantial reduction in the number of administrative staff required to deliver these functions.

I have accepted this recommendation and Cavan and Portlaoise have been designated as the two centres where the administrative functions will be centralised. These two centres have been selected because my Department already has a significant presence there and, following the introduction of centralised human services and payroll services across all Departments, additional staff will become available to service the administrative functions of the district veterinary offices in these two centres.

Implementation of the recommendations contained in the review group fits in both with my Department's objectives in driving efficiency and savings, as well as with the broad public service reform agenda. Centralising administrative procedures will enable my Department to reduce the number of administrative staff it requires to support veterinary office operations and, accordingly, the cost of providing its services. This is in line with the Government's policy. In addition, the centralisation of administrative functions will facilitate the redeployment of staff from the local offices to other State agencies and, thereby, enable the Government to provide services through these agencies more efficiently.

The centralisation of administrative functions will not negatively impact upon local access and services for local customers. The Department vets, inspectors and technical officers will remain in place at these offices to service our clients across all of the schemes that are provided from our regional offices. In view of this, front-line services will be fully maintained and public access for all of the Departments stakeholders will continue to be available at the 16 regional offices.

In line with my decision to centralise administrative services, administrative functions have already been transferred out of several regional offices, notably, Ennis, Clonakilty, Limerick, Tipperary and Waterford, without any negative implications for the provision of services to farmer clients. The transfer of the administrative functions out of other regional offices, such as Roscommon, will be considered in light of the availability of opportunities to redeploy the staff concerned to support other critical public services. In this context, my Department has been in contact with several State agencies, including the Department of Social Protection, on the establishment of redeployment opportunities with a view to progressing the centralisation process.

The volume of work administered by the administrative staff in the district veterinary offices has declined considerably in recent years due to computerisation, the significant drop in the incidence of disease, particularly TB and brucellosis, and the changes made to the TB eradication scheme last year. For instance, in Tipperary Town, the staff in the district veterinary office were the most hardworking and dedicated. They were transferred to the Garda vetting agency based in the town and retrained. They would tell the Senator the change was good for them and secured their employment in the town. I met some of the farmers at the recent meeting in Roscommon town. I explained how the change in my local district veterinary office had no impact on the service delivered to me. We need to be straight with people. If these offices were left open, it would be at considerable cost. Accordingly, the suckler cow premium which

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we introduced in the budget could not be implemented.

Senator Terry Leyden: I accept the Minister of State's response but the fact is the staff complement is going from 14 to 1.5 which is impractical for Roscommon. I do not know what the arrangement was in Tipperary Town. The Minister should review that in light of the situation that will arise in Roscommon. It is a very busy office, probably busier than Tipperary. We have more sheep and suckler cows than Tipperary so maybe we have more demand than Tipperary. All I ask is that the Minister have an open mind on that to deploy as many staff as possible for the needs of the people in the area to ensure the service quality is retained.

Deputy Tom Hayes: The Tipperary office had a larger staff of 28 and it was reduced to four. The same service is there. People do things in a totally different way. Farming is changing. If one asked the farmers at the recent mart in Roscommon if they would leave out a suckler cow scheme or charge for it, one cannot do it. One must be far more efficient. I am a farmer and I know and use the service. More than 40 people work in the District Veterinary Office, DVO, in Tipperary town. The same situation will obtain in Roscommon town. However I take the Deputy's points and if there is any further clarification Department can give I will ask it to do so.

Senator Terry Leyden: Staff reductions should not pay for a suckler cow scheme. The suckler cow scheme should be on its own and not dependent on-----

An Cathaoirleach: I cannot open up the debate on this. I thank the Minister.

The Seanad adjourned at 7.30 p.m. until 10.30 a.m. on Thursday, 14 November 2013.