

DÁIL ÉIREANN

Dé Máirt, 9 Feabhra 2010.
Tuesday, 9 February 2010.

Chuaigh an Ceann Comhairle i gceannas ar 2.30 p.m.

Paidir.
Prayer.

Business of Dáil: Motion.

Minister of State at the Department of the Taoiseach (Deputy Pat Carey): I move:

That notwithstanding anything in Standing Orders:

The following arrangements shall apply with regard to today's sitting: (1) Oral Questions shall not be taken today; (2) Statements on Northern Ireland shall be taken now and the proceedings thereon shall, if not previously concluded, be brought to a conclusion at 4.30 p.m. today, and the following arrangements shall apply: (i) the statements of the Taoiseach and of the main spokespersons for Fine Gael, the Labour Party and Sinn Féin, who shall be called upon in that order, shall not exceed 15 minutes in each case; (ii) the statements of each other Member called upon shall not exceed ten minutes in each case; (iii) Members may share time; and (iv) a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed ten minutes; (3) Leaders' Questions shall be taken on the conclusion of the statements on Northern Ireland; and (4) the Order of Business shall be taken at the conclusion of Leaders' Questions.

An Ceann Comhairle: Is the proposal agreed to?

Deputy Finian McGrath: On a point of order, has any time been allocated for Independent Deputies to speak in this debate? I notice we are to have a two hour debate. As far as I am aware, none of the Independent Members is being allowed to speak. Will the Ceann Comhairle clarify that matter?

An Ceann Comhairle: We have agreed the arrangements, as per the proposal made by the Chief Whip, which stated:

. . . the following arrangements shall apply: (i) the statements of the Taoiseach and of the main spokespersons for Fine Gael, the Labour Party and Sinn Féin, who shall be called upon in that order, shall not exceed 15 minutes in each case; (ii) the statements of each other Member called upon shall not exceed ten minutes in each case; (iii) Members may share time; and (iv) a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed ten minutes . . .

Those are the arrangements for the speakers.

Deputy Finian McGrath: It is not acceptable that a small minority of Members of the Dáil is not allowed to speak, particularly those of us who want to make a contribution and who have made a contribution in regard to the peace process. It is disgraceful and undemocratic. It is one of the reasons former Deputy Lee has spoken out about the urgent need for reform of the Dáil.

An Ceann Comhairle: We have noted the Deputy's sentiments on the matter. Perhaps some arrangement can be made by way of sharing time.

Deputy Finian McGrath: It will be contentious.

Question put and agreed to.

Northern Ireland: Statements.

The Taoiseach: I welcome this opportunity to speak on the peace process in Northern Ireland. The ongoing support of all Members of this House for building and maintaining peace in the North has been invaluable, and remains a strong cornerstone of the continued progress towards lasting peace and reconciliation.

As we are all aware, the agreement announced in Hillsborough on 5 February represented the culmination of many hours of intensive negotiation and engagement on all sides. It provides the basis for the future stability and success of the democratic institutions which we have all worked so hard to create and maintain. Fair and balanced compromises were required so that gaps could be bridged and different perspectives accommodated.

The completion of the devolution of policing and justice by 12 April will be an essential step for peace, stability and security in Northern Ireland. It will consolidate the operation of devolved government and close the circle in the transformation of policing and justice structures in Northern Ireland. I also welcome the agreement on a way forward on parades. An enhanced framework, implemented by agreement, offers the prospect of respecting and equitably balancing the rights of everybody.

It is fair to say that the recent negotiation process was not an easy one. The issues that were being discussed go to the very core of Northern Ireland's past. Their solutions are the foundations for Northern Ireland's future. As well as the key political issues that had to be agreed, these talks were, in many ways, about the re-establishment of trust between the parties. It is very important to realise that the political context for the recent talks was very different from any that have gone before. While they were facilitated by the two Governments, in the end, they were primarily conducted between the parties in Northern Ireland. That is because, unlike on previous occasions, we have had fully functioning democratic institutions throughout this recent period of political turbulence. Indeed, the members of the current Northern Ireland Executive have now held office for longer than any of their predecessors since Good Friday of 1998.

In addition to the outstanding issues from the St. Andrew's Agreement, that period of working together has thrown up new challenges which only the parties themselves can properly address. While the two Governments have an essential role in upholding the agreement, and a continuing role in supporting the institutions and the parties as they move forward, it is the parties themselves who came to an agreement on this occasion.

Naturally, not all the parties are happy with all aspects of the agreement reached or with the level of their involvement in the negotiations. I understand many of their concerns. For our part, the Prime Minister and I met all of the parties bilaterally on several occasions, as did the Minister for Foreign Affairs and the Secretary of State for Northern Ireland. We also convened

a number of all-party plenary sessions. Of course, the political reality — determined by the electorate at the last Assembly elections — is that the DUP and Sinn Féin are the leading parties and, between them, can command cross-community support in the Assembly. It, therefore, fell to those two parties in particular to reach agreement. I urge them to continue to work more closely with the other parties in future. In that regard, I welcome the proposals for improving the workings of the Executive and for greater discussion with the other parties which are part of the agreement.

Prime Minister Brown and myself have worked closely together over the past months, remaining in close contact with each other and with the Northern parties. We had a lengthy meeting in London on 30 November, when we assessed the issues and risks faced by the institutions and agreed on a joint approach to facilitate agreement between the parties. Following our meeting of 17 December in Copenhagen, we said in a joint statement that we believed that early completion of the devolution of policing and justice powers to the Northern Ireland Assembly was realistic and achievable and that any outstanding issues were capable of resolution by the parties.

I met again with the Prime Minister on 14 and 25 January and discussed the political situation in Northern Ireland. At the latter meeting, we judged there was a serious risk of a crisis in the institutions if the Governments did not intervene directly. We travelled together from Downing Street to Hillsborough Castle where we convened over three days talks with all of the Northern Ireland parties on outstanding issues relating to the devolution of policing and justice. During those talks we worked hard to establish common ground, to build dialogue between the parties and to re-establish the trust necessary to complete the devolution of policing and justice in Northern Ireland. Having talked to all of the leaders of Northern Ireland's political parties, we believed there was a clear pathway to an agreement. While we had hoped to bring matters to a conclusion during the week of 25 January, we felt that it was right and necessary for the parties to work together in the spirit of trust and understanding to agree and take ownership of the proposed solutions.

We asked the Minister for Foreign Affairs and the Secretary of State for Northern Ireland to continue to work with all of the parties to seek a resolution. I congratulate all of the parties around the table that contributed to the positive outcome reached last week. The leadership displayed by the First and Deputy First Minister and their respective party colleagues was instrumental in achieving the agreement that has been reached. I also acknowledge the wisdom and leadership of all of the other party leaders, including Sir Reg Empey, Mr. Mark Durkan, Mr. David Ford and Ms Dawn Purvis, and their teams, and the part they played.

I take this opportunity to place on the record of the House my special appreciation to the former SDLP leader Mr. Mark Durkan for all that he has done to help build peace, prosperity and reconciliation in this country. I know that he has much more to contribute to political life in the future. I also congratulate Ms Margaret Ritchie on her election as Mr. Durkan's successor and wish her every success in her new role as SDLP leader. I thank the Prime Minister, Mr. Gordon Brown, for the extraordinary commitment he has shown in recent weeks and months in making last Friday's agreement possible. I pay particular tribute to the Minister for Foreign Affairs, Deputy Micheál Martin and the Secretary of State for Northern Ireland, Mr. Shaun Woodward, in terms of the enormous efforts they invested over many days and nights in facilitating this agreement.

Throughout the journey of this peace process we have benefited from the continued support of our friends in the United States. I thank President Obama for his kind words last Friday on the reaching of agreement and for his generous invitation to me to visit the White House and meet with him on St. Patrick's Day. I recognise the role of the Secretary of State, Hillary

[The Taoiseach.]

Clinton, and her encouragement of the parties to reach agreement and for the positive contribution made by Mr. Declan Kelly, the US Envoy to Northern Ireland. Above all, I commend the political leaders of Northern Ireland for the courage and determination they have shown in stretching themselves to reach this agreement. The parties took clear ownership of these negotiations and worked closely and patiently together to reach a mutually acceptable outcome. The quality of that engagement has reinforced my view that the devolved institutions can and will work and deliver good government for the people of Northern Ireland.

The agreement reached presents a real opportunity to renew the partnership which is the life blood of the devolved institutions. It demonstrates that the parties can and will continue to work the political institutions of the North for the benefit of all of the people. It is my strong view that the spirit of the Agreement is just as important as the letter of the Agreement. The Agreement is not some abstract mathematical formula about setting up structures for people to coexist peacefully and tolerate each other. It is about people coming to the table with a sense of generosity, understanding and accommodating the views and opinions of others and doing so in a way that best serves everyone in the community and promotes security, stability and support for democracy. The devolved institutions can now move on to focus on the day-to-day issues of concern to everyone, including the economy, jobs, health, education, infrastructure, social services, community safety and the quality of life generally. I look forward to seeing all of the agreed steps for the devolution of policing and justice implemented. The drafting of an addendum to the programme for Government for the Department of Justice will allow the development of policies which support an effective policing and justice system. In addition, the people in the North can now receive the full benefit of £800 million of resources for a new department of justice from the British Government.

Achieving agreement on parading as part of this process has also been a major achievement. The new and improved framework will see a co-chaired working group comprising six members. They have now been appointed by the First and Deputy First Minister and will begin work immediately to bring forward agreed outcomes. It is vital that all of these steps are taken as agreed and within the timeframe.

In moving forward on these critical matters, I believe the parties have recovered the spirit of the Good Friday and St. Andrews agreements — that vision of a better future for all the people of these islands. That better future must be built on mutual respect for people of different traditions, equality and tolerance, and respect for each other's political aspirations, cultural expression and inheritance. That includes respect for the Irish language and for those who treasure it as part of their cultural heritage. In this regard, we look forward to further progress in implementing the relevant commitments in the St. Andrews Agreement. It also includes respect for all aspects of our rich traditions on this island.

As I said at Hillsborough, we are very fortunate to enjoy the rich tapestry which has been woven from all of the history, cultures and traditions on the island of Ireland. We must continue to work for reconciliation and partnership, to protect and nurture all we hold dear, including our beliefs, traditions and, above all, the new relationships that have grown from the peace process.

We also look forward to the implementation of outstanding commitments relating to the establishment of the North-South parliamentary forum, the North-South consultative forum and the completion of the St. Andrews review of North-South co-operation.

In recent weeks, I have outlined to the House the considerable progress that has been made on these issues, including the convening of the first ever North-South consultative conference last October and the proposal for a North-South parliamentary conference to take place soon,

at a time to be agreed between the Ceann Comhairle and the Speaker of the Northern Ireland Assembly.

I see an increasingly vigorous agenda of North-South co-operation as a key to the future prosperity and success of both parts of this island. Ireland, North and South, is facing unprecedented economic challenges. In meeting common challenges — such as promoting economic recovery, dealing with the effects of climate change, guaranteeing our energy security and developing our skills and research and development base — there is a growing recognition that we are strongest when we share approaches and weakest when we work alone.

It is in all our interests to work together to identify where we can reduce or share costs, or improve services. For a small island in an increasingly globalised world, it makes simple common sense to co-operate in order to compete. The Government remains committed to working with the Northern Ireland executive and the British Government in the future to help build on all our achievements and to make a better future for everyone.

As we mark this month's deadline for paramilitary decommissioning, it is worth taking stock of the great degree of success there has been in taking the gun out of politics in Northern Ireland. Recent acts of decommissioning remind us all of the great benefits that the peace process can bring and the confidence it generates in communities. This Government has expressed its appreciation of those who worked so hard to bring about decommissioning by the UDA. I also welcome yesterday's confirmation by the INLA and other groups that they have put their weapons beyond use. Their recognition that politics is the only way forward is to be welcomed.

Sadly, the evil, criminal attack on PSNI Constable Peadar Heffron in recent weeks is a stark reminder that there remain a tiny, unrepresentative few whose aim is to destroy all that has been achieved. I pay tribute to Constable Heffron for all that he has done for this country and for his bravery in dealing with what I know are significant injuries. It is very important that we place our deep appreciation and our best wishes for Constable Peadar Heffron and his family firmly on the record of Dáil Éireann. I know that all the elected representatives of the Irish people in this House join with me in that regard.

Such attacks by so-called dissident republicans do not represent the democratic will of the people of this island. They offer nothing but pain and suffering to the Irish people. The best response to such people is to complete the devolution of policing and justice powers, secure the stability of democratic institutions and show that politics is delivering for all the people of Northern Ireland.

Peace is a precious thing. All the people of these islands greatly value what has been achieved in the North in recent years. They have no wish to see a return to the bad old days. It is the duty of all of the political leaders on this island to continue working together in trust and partnership to ensure that we continue on the path of peace. I again thank all of the Members of this House for their continued support in our collective endeavours and for all of their work in the cause of peace and reconciliation.

Deputy Enda Kenny: I welcome this opportunity to reflect briefly on the recent achievements in Northern Ireland and the progress in the past week on the path to peace. I welcome the agreement reached between the parties in Northern Ireland last week on the devolution of justice and policing powers to the power-sharing institutions. It was the clear hope of the vast majority of people in Northern Ireland that this deal would be reached. The positive outcome to the lengthy negotiations has averted the prospect of a prolonged period of instability and uncertainty. It required intensive efforts from each party and they have secured a complete and enduring agreement. I would like to give credit to the Taoiseach and Minister for Foreign

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Affairs for their hours of attendance, if not always fruitfully at least leading to the conclusion that was eventually reached.

The challenge for the parties now is to work together to deliver on the implementing of the remaining elements of the Good Friday Agreement so that the people of Northern Ireland can be convinced that the political process can deliver real improvements to their lives. Let me assure the Northern parties that we in the Fine Gael Party will continue to play our part in supporting and assisting the full implementation of the agreement.

I had the privilege of attending the SDLP conference last Saturday. I convey my personal congratulations and that of my party to Margaret Ritchie MLA on her appointment as party leader, which comes at a critical time in the politics and development of Northern Ireland. As we hope to see the completion of the implementation of the Good Friday Agreement, her experience as a Minister in the Executive will stand to her and I look forward to meeting her in the not too distant future. I take this opportunity to pay tribute to Mark Durkan MP MLA for his leadership of the SDLP in the past ten years. I have known him for many years and his fearless leadership of the SDLP not only benefited his party, but more importantly was a voice of reason for all the people in Northern Ireland.

The 12 April will be an historic and defining day in the North. The Independent Monitoring Commission has previously stated — with which I agree — that the devolution of policing and justice brings important benefits to Northern Ireland, not least in allowing closer integration of law enforcement with other domestic policies. It will have a real and positive impact on people's lives and the problems they face on a daily basis. The IMC also made the point that dissident groups try to exploit the uncertainty of this issue and try to argue that politics was not winning in Northern Ireland when the reality was always very different. They have failed in their unjustified attempts to create a divide.

Regarding the new Minister for Justice, the First Minister and Deputy First Minister are meeting today to consider applicants interested in the post. Strong candidates are being put forward and I hope that a candidate of calibre and strength will emerge as the first Minister for Justice in Northern Ireland. I hope that decision will be made in the coming days.

A further positive step in the path to peace in the North came yesterday with the announcement by the INLA, the Official IRA and the south-east Antrim brigade of the Ulster Defence Association that they have put their weapons beyond use. This completion of the decommissioning process removes a key obstacle to political progress in Northern Ireland. It also fulfils the clearly expressed democratic wish of the Irish people, North and South, when they approved the Good Friday Agreement in 1998. General John de Chastelain deserves our thanks and credit for the effort he has put in over many years.

Fine Gael, as always, will stand ready to support the forces of law and order in confronting the threat of dissident republicans. The Taoiseach will have the full support of our party in respect of whatever action the Government must take in this regard. Fine Gael is concerned about reports that the Real IRA is actively recruiting new members in this jurisdiction. It is essential to ensure that young men are not lured into these organisations by some romantic notion of Irish republicanism and the continuation of an armed struggle. To achieve this we must continue to highlight in every way we can the necessity of implementing the Good Friday Agreement in full in order that people understand and see that co-operation and power-sharing are the way forward.

We must ensure that it is considered both the normal and effective way of delivering for everybody. Dissident activities in Cork in recent times are a worrying development. Their claim to murdering a man and threat to continue such vigilante activities cannot be allowed to con-

tinue. I am glad to see media reports of a massive Garda operation in Cork today, with more than 60 detectives involved in targeting this particular group.

We must also ensure our security forces have the necessary resources to monitor the activities of dissident groups in this State. Sadly, we are nearly a year on from the murder of two army officers at Massareene barracks by the Real IRA and the murder of PC Pat Carroll, days later, by the Continuity IRA. We must ensure that these evils cannot happen again. A concerted effort to disrupt their recruitment methods and other activities will prevent further atrocities being carried out. I wish the Government well in its future endeavours in this regard.

Deputy Eamon Gilmore: I join with the Taoiseach and Deputy Kenny in congratulating the parties in the Northern Ireland Executive for having agreed yet another strategic step forward in arrangements for devolved government in Northern Ireland. I also want to extend my thanks and congratulations to the Taoiseach and the Minister for Foreign Affairs and their officials who on behalf of all of us here, have spent so much unexpected and prolonged time away from here in an effort to secure a successful outcome to the talks concluded by the parties.

Thanks are due, too, to all others who gave a hand in facilitating the agreement in Washington, London and Dublin. However, I want to reflect also on the number of times in which we in this House have made statements over the years on agreements usually ascribed as “final” that have been squeezed eventually from the Northern Ireland parties. How many times we have welcomed statements along the lines of the most recent: “This text is an affirmation in our shared belief in the importance of working together in a spirit of partnership to deliver success for the entire community.” How many times these intended agreements, notwithstanding the encouragement and facilitation of Dublin, London and other capitals, have failed to eventually meet expectation or at least have ended up having such expectation deferred.

How many times is it realistic to foresee similar down-to-the-wire collapses of talks in Northern Ireland and the resumption of the always existing threat, the abolition of devolved government and the resumption of direct rule? I believe it is appropriate to do this now, in a week that saw a former colleague of mine, former Deputy Tomás MacGiolla, laid to rest and a still serving colleague, Mark Durkan, pass on the leadership of our sister party in Northern Ireland to his elected successor, Margaret Ritchie.

Tomás MacGiolla was a man of great principle and personal courage. He played a central role in weaning the republican movement away from its violent roots. If more people had listened to Tomás MacGiolla in the late 1960s, 30 years of violence and more than 3,000 deaths in Northern Ireland might have been averted. He was a genuine republican in the tradition of Wolfe Tone, an early advocate of the civil rights strategy in Northern Ireland and a fierce opponent of sectarianism. He was shocked and appalled by the campaigns of sectarian violence that blighted Northern Ireland for so long. Although he and I took different political paths in recent years, I have always retained an enormous respect for him, which I believe is shared by many on all sides of this House.

As regards my colleague, Mark Durkan’s resignation, and the election of his successor, Margaret Ritchie, I want to put this on the record. The SDLP was born out of the civil rights

3 o'clock movement in August 1970 and has, for four decades, been the voice of democratic nationalism in Northern Ireland. As a member of the Party of European Socialists and the Socialist International, it is a sister party of the Labour Party here and is solidly internationalist and socially democratic in outlook. Throughout the past 40 years the SDLP has never deviated from its core values. It has stood completely opposed to all violence, arguing that not only was this morally wrong, but politically bankrupt as well because violence always destroys that which it claims to defend. From its earliest days, as illustrated from as long ago as its 1972 policy document, Towards a New Ireland, the SDLP has argued

[Deputy Eamon Gilmore.]

for an agreement that addressed the three core sets of relationships: between Nationalists and Unionists in the North, between North and South and between Britain and Ireland. The Good Friday agreement was an agreement first designed and promoted by the SDLP, in Seamus Mallon's famous phrase as "Sunningdale for slow learners". I pay tribute to the designer of the Good Friday agreement, John Hume, his successor as party leader, Mark Durkan, and his successor in turn, Margaret Ritchie.

I join with the Taoiseach and Deputy Kenny in paying tribute to Mark Durkan. He was a key member of the SDLP team during the negotiations leading to the Good Friday agreement and he was, in many respects, its chief draftsman. In 2001, Mr. Durkan replaced Seamus Mallon as Deputy First Minister. He also succeeded John Hume as SDLP leader. He has represented the interests of nationalism, his party and his constituency with distinction since 2005. He has spoken strongly, including directly to my party, about justice issues, economic development, health care and children's rights. He has a well-established reputation as a leading advocate on international development and he will continue to speak vehemently at Westminster about these issues.

Throughout the worst and most disastrous weeks, months and years in Northern Ireland, the SDLP has always adhered to its conviction, namely, that argument works better than violence. I am hopeful as regards the latest agreement, the Hillsborough agreement. However, in my parliamentary lifetime I can recollect similar statements welcoming breakthroughs in talks and fresh agreements coming from, for example, the Downing Street Declaration, the Good Friday Agreement, the St. Andrews Agreement and now the Hillsborough agreement. Recently, we saw a quotation from the *Guardian* newspaper greeting yet another previous breakthrough in Anglo-Irish talks. The *Guardian* opined: "The impossible has happened and the Irish controversy . . . is, to all intents and purposes, settled. It is a splendid achievement ... Let us thank Heaven that that chapter of our history is closed and that a new one opens today." The problem is that quote from the *Guardian*, republished in the history pages of the *Irish Times*, came from its editorial opinion on the Anglo-Irish Treaty, published almost 90 years ago in 1921. For almost 90 years since then, politicians North and South, east and west, have been doing mostly not enough, but sporadically their best to achieve progress.

Tremendous damage has been done in the interim by people with irredentist views who put politics above any value they place on human life, and who have destroyed human life on an industrial scale in the interests of what they regarded as political progress. Meanwhile, politicians have attempted agreements, most recently with the political representatives of those most responsible for the most devastation. Each successive experience of devolved government in Northern Ireland has had to be re-rescued, by talks led by the two Governments. Let us all hope that the latest agreement now arrived at will work.

This latest agreement moves things on, but politics has also moved on in Northern Ireland. At the time of the Good Friday Agreement, it was hoped that the centre would strengthen and that in a climate of peace, moderate politics would thrive. Instead, the political initiative and support moved to those with a harder line. Now Sinn Féin and the DUP are the dominant parties, not the SDLP and the Ulster Unionist Party, the parties which led the making of the Good Friday Agreement. Power is shared between two parties which have yet to convince that they believe in the concept of sharing power on a daily basis in an atmosphere of trust and with a hope to building a shared future.

While I welcome the agreement about modalities for the appointment of a justice Minister in Northern Ireland to administer policing, I am concerned at the manner in which the process for selecting the party to hold that office has been altered. Under the d'Hondt system used to allocate every other Minister, the SDLP would be next in line for the post. That process is

being ignored on this occasion and it is believed the Alliance Party will be lined up to get the position. I would welcome David Forde's appointment to the post. The Alliance Party is a thoroughly decent political movement that has preached partnership and power-sharing throughout its existence. It is deeply committed to creating the shared future between all the people in Northern Ireland that so many of us recognise as a requirement. However, the overriding of the SDLP's right to achieve this political outcome does public trust in the political system no good whatsoever and it adds to the perception that this deal has been made at the insistence of the DUP and Sinn Féin.

I fully understand the need to accommodate all shades of political opinion and cross-community representation in post-conflict societies. However, as Mark Durkan stated 18 months ago, we must begin to think about removing some of the ugly architecture around the Northern Ireland Assembly and Executive. This may not yet be the time but moving towards voluntary coalitions rather than the mandatory system that exists at present must be a long-term aim of all parties on this island. In reality, all parties in Northern Ireland are living in a context of voluntary coalition, even if the concept is anathema to some of them, but power-sharing is still a fragile concept.

If last week's agreement shows that more work can and will be done by the two major parties involved, then it will have been a good day's or 10 days' work. Voters on both parts of this island shared an important part of a journey when they voted overwhelmingly to support the Good Friday Agreement. Their votes were the strongest mandate for a new departure in Irish politics, North and South of the Border.

To appreciate how far we have come, we should take stock of what we have left behind. More than 3,500 deaths on this island, over 30 years, were directly linked to the sectarian conflict in the North. Approximately 100 people a year on this small island were murdered every year since 1969, simply because of who they were, where they came from, who they voted for or the church they prayed in. For every murder victim, there was an ever-increasing circle of the injured, bereaved and frightened.

Some politicians calcified the bitterness, handing it on to their successors. Communities were brutally segregated. The politics of the latest atrocity overshadowed the wider tragedy. The national question dominated Irish life for decades when we could have been questioning what kind of social and economic future we wanted for ourselves and our children. However, that is the past and we need to be ambitious for the future. We need to be ambitious for peace. We need to be ambitious for a peace that is not simply the absence of aggression, a peace that is not simply a new rewriting of a complicated deal about power-sharing. We also need to be ambitious for a peace that results from willing and easy sharing of space, a peace between people at ease with each other and working to assist each other.

The sad fact is that while all this drama about devolved government and its arrangements is played out, the scourge of sectarianism remains and infects the lives of many people in Northern Ireland on a daily basis. Although the latest and long-awaited high-level engagement and resolution between political leaders is always welcome, the fact remains that society in Northern Ireland is now more sustained in its divisions, such as those associated with where people live, socialise and send their children to school, than it was three decades ago. We have witnessed the increasing danger referred to by both the Taoiseach and Deputy Kenny, that is, the re-emergence of extremist violence. I send the best wishes of the Labour Party to Constable Peadar Heffron on his recovery from the appalling injuries he has suffered. The saddest fact of all is that, although Sinn Féin and the DUP can agree about policing and justice, the "Shared Future" agenda for improving community relations on a daily basis, and for improving the lived experience of their own constituents, is still the last agenda item they can agree upon.

[Deputy Eamon Gilmore.]

The agreement just made provides for the devolution of policing and justice. This is, by any standards, great progress. We must now look increasingly to the future and the kind of society that we should build North and South, a society based on fairness and tolerance and rooted in democracy.

Deputy Caoimhghín Ó Caoláin: Friday, 5 February 2010 was a very significant day in the development of positive and constructive politics in Ireland. The agreement reached on that day represents a step forward for all the people of this island. The agreement was not easily reached and it will not be easily implemented but it is essential that it work and that all parties and both Governments play their part in full to ensure its success. I commend the Sinn Féin negotiators, the DUP negotiators and those of all parties and both Governments who contributed to this very welcome and positive development.

Céim chun tosaigh atá sa chomhaontú. Molaim iad siúd a ghlac páirt sna cainteanna. Bhí dul chun cinn maidir le póilíneacht agus an córas dlí agus le feidhmiú an Choiste Feidhmiúcháin. Pléadh ceisteanna tábhachtacha eile, paráideanna agus an gá le Acht na Gaeilge sna Sé Chontae san áireamh. Chuir Sinn Féin an Acht sin ar chlár na gcainteanna agus beimid ag obair go dian chun an Acht a fháil agus a chur i bhfeidhm.

The agreement reached last Friday has the potential to ensure a stronger Executive on the basis of equity and respect for the mandates of all parties. The agreement is broader than the issue of policing alone because the working of the Executive had effectively seized up due to the blocking tactics of obstructionist Unionist elements. That obstruction had to be overcome.

A date has now finally been set for the long overdue transfer of policing and justice powers from London to Belfast. That is a major achievement and it will also be a major challenge to ensure that policing services are delivered equitably and efficiently for all communities and that the justice system is independent and fully rights based.

Much exasperation was expressed at the time it took to reach agreement. From many, that exasperation was understandable, especially from people in the Six Counties and all communities who want to see real improvements in social and economic terms and to see the Executive and the Assembly work. However, some of the impatience expressed by commentators on this side of the Border was less acceptable and reflected a partitionist outlook.

We must make no mistake. Republicans, more than anyone, had a right to be impatient and to express deep frustration at the delay in delivering on policing and justice. Republicans throughout Ireland have been very patient not only in recent weeks, but in recent years with regard to the vital issue of policing.

Just over three years ago, after a process of intense internal debate and consultation, we in Sinn Féin brought our party members to an Extraordinary Ard-Fheis to debate proposed changes to our policy on policing. We expressed our support for civil policing through a police service which is representative of the community it serves, free from partisan political control and democratically accountable. We pointed out that the Good Friday Agreement requires and defines a new beginning to policing as an essential element of the peace process. The Good Friday Agreement also requires functioning, power sharing and all-Ireland institutions.

Before that Ard-Fheis in 2007, the British Government had agreed to the transfer of powers on policing and justice away from Westminster to locally elected political institutions, and set out the departmental model to which these powers were to be transferred.

On the basis that a new beginning to policing had commenced, and that policing and justice powers would be transferred to Ireland within a reasonable period, Sinn Féin agreed to support the PSNI and the criminal justice system in the Six Counties, hold the police and criminal

justice systems fully to account North and South, and participate in local policing structures in the North. We appointed Sinn Féin representatives to the Policing Board and the District Policing Partnership Boards. Their role was, and is, to ensure full accountability of the PSNI and the achievement of policing with the community as the core function of the PSNI.

I, too, wish to add my personal good wishes to the injured Constable Heffron for his full return to health.

The decision of the membership of Sinn Féin to critically engage with policing in the Six Counties was a momentous step that took courage and determination. We needed to see the same courage and determination from both Governments and all parties, especially the DUP, to ensure the full implementation of the Good Friday Agreement.

Throughout the debate and consultation which took place prior to that 2007 Ard-Fheis, a key point raised by party members was the weakness of the Irish Government in failing to press the British Government on a whole range of issues, but especially on policing itself. The “heavy lifting” in negotiations was done by Sinn Féin. The Irish Government joined with the SDLP in accepting far less than was needed to ensure a new beginning to policing.

Sinn Féin took these political risks because we wanted to see the process back on track. The Executive was re-established and it worked well across departments, but only up to a point, and that point was the essential and overdue next step of transfer of policing and justice powers. This was clearly a touchstone issue. The Sinn Féin ard chomhairle motion, adopted by the 2007 extraordinary Ard-Fheis on policing, also pointed out that elements of the DUP were determined to use policing and other issues to prevent progress, resist power-sharing, equality and oppose any all-Ireland development and that this was unacceptable. They were prophetic words and borne out over the past two years.

I hope and believe that the 5 February 2010 agreement represents a new beginning for the relationship between the DUP and Sinn Féin, a new beginning for the Executive, the Assembly and the all-Ireland structures, as well as a new beginning for policing. There is also a need for a new focus on the peace process and the all-Ireland process from the Irish Government, from all the political parties and from the media in this State. I have already referred to partitionism which I am afraid is widespread in this jurisdiction. We heard it in the type of commentary which lamented the fact that the Taoiseach and the British Prime Minister had to alter their schedules to attend the negotiations in Hillsborough. It was as if these were some parochial issues that should not be troubling the minds of two international statesmen.

The issues at stake in the negotiations go to the core of the relationship between Ireland and Britain and the people who share this island. They are about the survival and future working of the structures established under the Good Friday Agreement. They are about the continuing development of a peace process into a viable political process. Policing and justice, public safety and human rights are not trivial or parochial issues.

The other myth peddled in recent times, and which continues from the mouths of some, is the portrayal of the DUP and Sinn Féin as the two extreme parties. Related to this have been some efforts to disparage the power-sharing structures and the requirements for cross-community support in the Executive and the Assembly. In the Seanad, a Member claimed the d’Hondt system, “rewards people from the extremes and does not reward people who bring together communities and serve all of the people within their communities”.

This position was praised by a political commentator in a national newspaper who also painted Sinn Féin as extremists along with the DUP and bracketed the two parties together in their attitude to the Good Friday Agreement in 1998. Nothing could be further from the truth. I remind that commentator, and those who hold to his views, that while the DUP excluded

[Deputy Caoimhghín Ó Caoláin.]

itself from the talks in 1998, Sinn Féin played a key role in negotiating the Good Friday Agreement, in delivering it and in implementing it in the years since.

The same commentator proposed a return to direct rule. I am glad the patience and persistence of negotiators won out and that an agreement was reached a few days after the article was written. A return to direct rule would do nothing to heal community divisions or foster co-operation and compromise. On the contrary, it would be a step backwards for everyone. What is needed is the full working of the agreements on the basis of partnership, equality and a determination to deliver for all the people. That is the essence of the pledge taken by each Minister in the Executive.

I accept there is understandable frustration at the slowness of movement. However, the slowness of movement at Executive and Assembly level is only part of the picture. There is an appreciation across the North that great progress has been made, that there is local accountability of Ministers and Departments and, above all, that many barriers between communities and individuals are being broken down. It is happening slowly but it is also happening surely.

For the same reason the issue of parading needs to be handled with the greatest care. It must be remembered there is no contention about the majority of parades in the North. Sinn Féin acknowledges parades by the loyal orders as an expression of heritage and culture. All citizens have a right to that expression, the right to assemble and to parade. All citizens also have the right to be free from sectarian harassment. No one should want to parade down a road or through a community where they are not welcome. This is a problem now in relatively few places and it must be addressed through dialogue. I hope that the arrangements put in place on Friday last will bring progress in this area and that we will see a trouble-free marching season this summer. I guarantee it will not be for want of effort on the part of Sinn Féin and I pay tribute to my party's members who have worked extremely hard over recent years to prevent conflict in inter-face areas.

A new beginning to policing and justice is not solely a Six Counties issue. We need far more robust accountability structures to ensure an end to political policing, corrupt policing and inefficient policing in this jurisdiction. I again use the opportunity to call for the repeal of the draconian Offences Against the State Acts, which is long overdue.

On the issue of collusion, I regret to have to state that the Taoiseach and his predecessor have been far too accepting of the claims by the British authorities that they can do no more. We have seen the British Government's continuing refusal to establish an independent international inquiry into the murder of Mr. Pat Finucane, as demanded in a Dáil motion passed unanimously three years ago. We have seen their refusal to respond positively to the Dáil motion seeking complete disclosure and a parliamentary debate on collusion, including the Dublin and Monaghan bombings of May 1974. The Taoiseach's responses to me on collusion, including last week, have been disappointing and show a lack of appreciation of the importance of these legacy issues for all who have been directly affected by the conflict, and I urge that that change.

I believe the title of these statements to be incorrect. What we are addressing is not "Northern Ireland"; it is the peace process and the all-Ireland political process. It is of vital concern to everyone on this island. I represent a Border constituency and the communities that elect me and my constituency colleagues obviously have a very particular interest in the success of the process. They have seen the very physical barriers of the Border taken down and have seen many of the benefits of peace and dialogue and new co-operation between the two jurisdictions, but the Border remains and it still causes social, economic and political disruption to

communities on both sides of the Border. It distorts the economy of this island and the lives of all who view Ireland as home.

I welcome especially the commitment in the 5 February agreement to work on the outstanding issues from the St. Andrews Agreement. That must include completion and full working of the all-Ireland structures, including the North-South parliamentary forum. Last week in the Oireachtas Joint Committee on the Implementation of the Good Friday Agreement we discussed the progress being made in all-Ireland co-operation on education and how so much more can yet be done. The same applies in areas such as health, transport, employment creation and agriculture.

The real test of this agreement will be how it delivers improvements in the daily life condition of ordinary people, not only in the Six Counties but across the island of Ireland. The Sinn Féin extraordinary Ard-Fheis on policing three years ago to which I referred reiterated our republican commitment to bringing about Irish reunification and the full integration of political, economic, social and cultural life on this island, and we hold that commitment as firmly as ever and look forward to its fulfilment through persuasion and dialogue over the time ahead.

Minister of State at the Department of Finance (Deputy Martin Mansergh): The successful negotiation of what should prove the final chapter in the peace process is a cause of great satisfaction. I warmly congratulate the Taoiseach, the Minister for Foreign Affairs and Irish officials on their leadership role in bringing this about as joint guarantor with the British Government of the Good Friday and St. Andrews agreements. As the Taoiseach has observed, the institutions have continued to function for the longest sustained period but the intervention and involvement of the two Governments undoubtedly prevented a breakdown.

As is known from previous experience, a great deal of time, dedication, painstaking work grappling with difficult, interconnected and complex issues the roots of which in many cases are deeply embedded in the past, and an extraordinary level of patience is required in order to achieve the necessary breakthrough. While this level of commitment is sometimes criticised, it has been necessary and it has produced results. The Taoiseach will well remember the time he spent on policing issues as Minister for Foreign Affairs in Weston Park in 2001, and in many other venues, when he had to re-thread, so to speak, the implementation of the Patten report. It must be said that Sinn Féin took its time to accept reformed policing and it is not entirely surprising the DUP has taken its time to agree to its devolution.

The political parties in Northern Ireland are also to be greatly commended on concluding this agreement in conditions which are three months ahead of a British general election. It sends out an important message that the stability of the Northern Ireland peace agreement and its agreed self-governing institutions have been protected. It will reassure investors in difficult and challenging economic times, it is a good example for other intractable conflicts in other parts of the world and, above all, it confirms that there is no going back to the past.

A parallel example of patience rewarded is the work of the International Commission on Decommissioning. As we know, all paramilitary groups, even when on ceasefire, were initially appalled at the notion that anyone was asking them to decommission their weapons. Now all groups on ceasefire have done so, including the UVF, the UDA — all branches of, the INLA and the Official IRA, and this has been paralleled by extensive demilitarisation by the British Army. Great credit is due to General de Chastelain, who has probably had one of the most extraordinary military missions in history but has brought it over many years to a successful conclusion.

May I, too, interject in this debate to pay my respects to the memory of the late former Deputy Tomás MacGiolla. His roots were in the IRA — later Official IRA — but the broader

[Deputy Martin Mansergh.]

movement was a political nursery to many leading lights in these Houses which on the whole has made its own contribution, collectively and progressively, to the modernisation of a democratic Nationalist and republican philosophy.

A particular tribute is also due to President Mary McAleese and her husband Martin for the practical but also potentially hazardous bridge building in which they have engaged and which has borne fruit, not least in terms of trust.

It is dismaying that there are still small reactionary elements holding back and engaging in sporadic but occasionally lethal armed attacks. It cannot be repeated too often that such activities have no theoretical, historical or moral justification and that the settled will of the Irish people for peace will not be changed by them. Without wishing for any censorship, I would ask editors of media organs not to let themselves be used as al-Jazeera type outlets for murderous threats or self-justifications. The constitutional position now arrived at is legitimate and has been legitimated by the Irish people as a whole — to put it more neutrally, by the people of the island of Ireland.

One of the main achievements of the peace process has been the widespread normalisation of relations between the two parts of the island even though, as has been observed, there is much progress to be made still in community relations in Northern Ireland and in tackling the scourge of sectarianism.

Relations between Britain and Ireland have also been normalised and those who want to maintain old enmities and obstruct normal courtesies between friendly and neighbouring states, or to deny all shared experiences and traditions, have at this stage to be quietly ignored and faced down. To those who want to claim that we have not moved on, the answer is “Yes, we have, and decisively so.” We must transcend the wounds of history mutually inflicted. I say that because complaints about past wounds inflicted on us would always come better if accompanied by acknowledgement of appalling wounds that have been inflicted, sometimes by persons making such complaints.

A proud and independent state should hold its head high and behave with appropriate self-confidence and magnanimity. While the focus has been on the largest parties, Sinn Féin and the DUP, which have made a further statesman-like accommodation from what were once very fundamentalist positions, and for this they deserve much praise, we should not forget the role of other parties such as the SDLP, the Ulster Unionist Party and the Alliance Party. Mark Durkan, a successor of John Hume, carried on in the most honourable manner, the signal contribution of his party throughout the Troubles, and we all congratulate and wish well the new leader, Margaret Ritchie. If there is a new government in Westminster after the May election, which cannot be presumed, I hope it will, notwithstanding any partisan interests, maintain unswerving and renew the commitment of successive British Governments under Gordon Brown, Tony Blair and John Major to both the principles and the achievements of the peace agreements.

Parades have long been a contentious issue and it is to be hoped that a better *modus vivendi* building on the Derry model can be achieved. Greater unity on this island can only be built up on respect for different traditions and on acceptance that we proceed from where we have now arrived and not from where we might wish to have been if we could roll history back to 1919 or 1914 or the 1790s. Ireland, all of it, has an important role to play and contribution to make in the modern world and much of that we can do, North and South, together.

We should remember all those politicians, officials, clergy and community activists who laboured long and hard in the field to bring about a just and lasting peace. I think of the Taoiseach's predecessors, Deputy Bertie Ahern, and Albert Reynolds, not forgetting Dick

Spring, John Bruton and the late Charles Haughey, who were all associated with historic advances. I also think of Dermot Nally, now deceased, who gave great service to the State and to the betterment of Anglo-Irish relations. I commend the Taoiseach and the Minister for Foreign Affairs for bringing a noble work to both a conclusion and a new start.

Deputy Charles Flanagan: May I share time with Deputy Timmins?

An Leas-Cheann Comhairle: Is that agreed? Agreed.

Deputy Charles Flanagan: I am pleased to welcome the significant progress in the devolution of functions to the Northern Ireland Assembly. Real change is never quick or easy but recent events show that tenacity can deliver real results.

Deputy Kenny outlined the Fine Gael view on the positive developments in Northern politics but I would like to take the opportunity to refer to the threat posed by dissidents on both sides of the Border, a threat that historically has grown out of the political situation in the North. I welcome the announcement yesterday by the INLA, the Official IRA and the loyalist south east Antrim brigade that their illegal weapons have been destroyed as part of the decommissioning process. These groups have recognised that political dialogue achieves far more than violence ever could.

Regrettably, however, there remains a rump of irredentist dissidents who refuse to acknowledge the will of the people and the authority of the State. It is clear from recent developments that the threat from dissident republicans on this island has now reached a very dangerous level. Just last month, as has been referred to, a PSNI officer was critically injured when a bomb exploded under his car. Experts have been warning for the past few months that there has been a realignment of terrorist groups in Northern Ireland with a new group emerging from the hard-liners among the Continuity IRA and the Real IRA.

In the past two years, there have been more than 750 bomb alerts in the North, an average of one per day. Although no one has been killed by the Continuity IRA or the Real IRA since the vicious murders of two soldiers and a policeman last March, terrorist actions still average one per day. The most recent report of the Independent Monitoring Commission suggested that the threat level is “really serious” and at its highest in six years.

Even among groups which have theoretically abandoned the path of violence, there are worrying signs that the legacy of violence has not been completely left behind. We sadly recall the brutal murder of Paul Quinn, for which nobody has yet been convicted, despite a widely held belief that the Provisional IRA was responsible for the death.

At the weekend, Assembly member, Dominic Bradley, told the SDLP conference that there still is “a functioning murder machine” run by republicans in south Armagh. Mr. Bradley further warned that although the Provisional IRA’s army council has prohibited punishment beatings, south Armagh IRA members simply do as they please. He stated that even if the Provisional IRA has theoretically been stood down, individual members still have access to its structures, its skills and its experience and the group as a whole is still trying to exercise community control and worst of all, it can still draw on political support from Sinn Féin in exercising that control. This is, indeed, a stark and chilling warning.

In the Republic, there are ongoing warnings that the dissidents are still involved in vigilante-type activity. Leaflets being circulated in Cork city attribute the recent murder of Gerard Stanton, a convicted drug dealer, to the 32 County Sovereignty Movement. The leaflet also claims that the Real IRA has a list of alleged drug dealers who it has marked out for execution. I understand the Garda is currently investigating these claims and I wish it well.

[Deputy Charles Flanagan.]

I urge the Minister for Justice, Equality and Law Reform, Deputy Dermot Ahern, to take decisive steps to address the threat posed by dissidents to life and limb in this Republic. There is a clear need for increased Border security and to ensure intelligence resources are made available to counteract the increasing terrorist threat. Senior Garda posts, to which we referred last week in a justice debate, must be filled urgently. We require both a political and a security response from the Minister for Justice, Equality and Law Reform and the Government.

Last month's bomb in the North shows that the situation continues to deteriorate. We need to do all we can in this Republic to protect lives from the threat posed by the remaining the dissident republicans in the form of their terrorist activities.

Deputy Billy Timmins: When the people voted for the Good Friday Agreement, which contained three strands — the internal, the North-South and the east-west strands — in effect, they voted to allow the people of Northern Ireland deal with issues themselves. They wanted them to get on with their lives, to come together and to work together. It is almost 12 years since the Good Friday Agreement was passed. While it has taken a very long time to reach this stage, any progress or, indeed, even stagnation is better than from where we came. Any development, once it is not a retrograde step, is welcome.

I commend both Governments and the parties in the North for coming to an agreement on 5 February in Hillsborough. While on occasion, we in the South can be impatient, it is important to realise from where the parties have come and the difficulties inherent on both sides. It will take a long time until there is complete trust between all parties in Northern Ireland.

I hope the devolution of policing and justice, which people thought would never come, will come some time in April. It is important the Governments continue to play the role of guarantors of the Good Friday Agreement but, by the same token, it is also important that the parties can get on with their own business and that it is not necessary to hold their hands on all occasions. Both communities in the North want to move on.

It is important that there is no vacuum. Reference was made by a party colleague and others to the dissident republicans. Many of these young people do not recall what the violence was like in Northern Ireland — the endless horrors on our television screens and the endless suffering and pain. This romantic concept must be dealt with. We have a role to play in this part of the island by cracking down on these dissident republicans and by working in conjunction with the PSNI to address the difficulty. When one sees the horror visited on Constable Heffron and the families of the British soldiers and Constable Carroll, it brings us back to the dark bad old days. There is nothing more depressing than to see the violence reoccur. There is enough goodwill and commitment and the distance the parties have travelled over the past decade will ensure that we never return to those dark days.

Deputy Gilmore mentioned the parties and Government in the North dealing with the issues that impact on people's lives. The main political parties in the North have had their own internal traumas recently which show they are human like everyone else. The economy, education and employment impact on people there as much as they do on people here. Let us devote our energy to working together to create a synergy which helps to address those difficulties.

The decommissioning of the UDA and INLA in recent days must be welcomed. It is important to pay tribute to the work General John de Chastelain has done over the years. I recall attending a dinner at which he spoke of going to a barber for a free haircut. He said he would not go until there was a final agreement on peace in Northern Ireland. I do not know if he ever got a free haircut but he is probably entitled to it at this stage. He has given a very

important period of his life to deal with the issue, as have the various representatives from the United States.

There will never be final trust until such time as the people in Northern Ireland work, play and go to school together. First we have to build up trust in the institutions in order that they can govern together and then the real trust will come from people leading their daily lives. It is important to recognise the positive and silent role President McAleese and her husband have played in the past few years.

Deputy Joe McHugh: I wish to share time with Deputy Crawford.

An Leas-Cheann Comhairle: Is that agreed? Agreed.

Deputy Joe McHugh: I join with my colleagues in congratulating both Governments and compliment members of the DUP and Sinn Féin on the role they played in the negotiations, along with the other parties who were not just peripheral partners, but who were involved. However, when the dust settles there may be questions as to whether that involvement was constructive enough.

When we had statements on Northern Ireland in the past, they concerned blockages, tragedies and major incidents, such as the Omagh bombing. It is unfortunate that became the *raison d'être* in this House. Any time there is a crisis in Northern Ireland, we have statements on the matter in the House. We need to take cognisance of the fact that this is an ongoing, evolving situation. The major lesson which has been learned is that we let the 1998 Good Friday Agreement go on autopilot, not necessarily at an institutional level in Stormont but at a county council level, a cross-Border level and a grassroots level. There was tremendous empowerment of cross-Border relationships over a period of time prior to 1998. We have to get back to basics. We do not have to rebuild that infrastructure but we have to acknowledge the work which has been done at that level.

We are making statements on Northern Ireland here today but if one asked a member of the public from Athlone or any area further south, such as the constituency of the Minister, Deputy Martin, in Cork one will find there is an attitude towards Northern Ireland, namely, that we should let it look after itself. Many people just do not want to know about it. We have to change that mindset. In changing it we have to reach out to our colleagues across the Border and not just at Assembly, Leinster House or Stormont level. We have to reach out through the North-South Ministerial Council. People on the ground are looking for more transparency at those meetings. They are also looking for a better, more constructive mechanism than two or three meetings a year. It is very important to keep it going. While it is also important to examine strand two, strand three, which involves the east-west negotiations and the British-Irish Council, must not be ignored.

We have to be careful of jargon; we could use words like “process”. In moving the machinery of what has been built on in the past 12 years, we have to create, as Deputy Timmins mentioned, a synergy among cross-Border groups. I will not use the term “quango” because it would be an insult to much of the work done by groups such as the North West Region Cross Border Group. We cannot have great work going on at a Northern level and a southern level but not have a meeting in the middle. Simple things such as tax, entitlements, welfare, people who reside in east Donegal and work in Derry and people who live in Derry and work across the Border in Donegal, Monaghan or Louth are issues to be considered. There is a mass movement of people and we have to take cognisance of that.

It is no longer Northern Ireland; the six county block no longer exists as an entity. There is public policy which we need to move forward regarding getting institutions and public services

[Deputy Joe McHugh.]

harmonised on both sides of the Border. Currency is an issue which we cannot harmonise but we can harmonise public service provision. These are the challenges. We have an obligation in this House to do that. It is also an obligation in the framework of the 1998 Good Friday agreement

Deputy Seymour Crawford: I welcome the opportunity to speak on this important issue. I recall speaking on the ceasefire and all the different steps which have taken place during my time in the Dáil. However, this is, in many ways, the most significant event. I thank the Taoiseach, Prime Minister Brown, the Ministers and our professional staff who are often unrecognised but who do an important job behind the scenes, for their work on this agreement. As has been said, we must also pay tribute to General John de Chastelain, the Secretary of State, Ms Clinton for their involvement. Above all, we must pay tribute to our President and her husband Martin for their work behind the scenes on this issue to bring us to 5 February.

The deal has been worked out between the two main parties. That it took ten days to reach an agreement is important because it is not a rushed deal. All the issues have been teased out and the Minister, Deputy Martin, had a part to play in that. That there is a deal between the people of Northern Ireland which was not imposed on them cannot be overemphasised. The future now depends on how the two parties concerned treat their other counterparts, such as the SDLP, the Ulster Unionist Party and the Alliance Party in the future and whether the Assembly is seen to work together as a united organisation and not as divided groups.

The proof of how the agreement is put into operation is something positive which we all want to see. Policing and justice will now be handed back to the Northern Ireland Assembly and we do not yet know who will be the minister. Whoever it is, it is vital that he or she gets the full commitment of all parties in Northern Ireland. If people are committed to democracy, they must be prepared to co-operate with the PSNI, the Garda and any other organisation to make sure that whoever is at fault in trying to continue to plant bombs, etc., stops. More than 3,000 lives have been lost. Very often we forget those who have been maimed and lost limbs, and who will live with the situation for the rest of their lives.

One only has to think of the recent attacks on the PSNI, in which Constable Peadar Heffron, who is a staunch GAA supporter and a Catholic by birth, was obviously targeted to try to stop people from the minority side in Northern Ireland from joining the force. The bombs found in Forkhill, Donegal and other places is proof that there is still a rump out there. That young people are being brought into the negative or dissident organisations is frightening. We must have hope that the new justice system in Northern Ireland, if it is backed by the general public and by democratic organisations, can deal with this situation.

I congratulate Ms Margaret Ritchie on her appointment as leader of the SDLP and I thank Mark Durkan for all he has done. The SDLP was very active in the entire issue from the start, from John Hume to Seamus Mallon and others. I do not forget the UUP and others who also played their part. Today we have an agreement made by the people of Northern Ireland among themselves. They now have the opportunity to prove they can make it work in a positive, constructive and caring way. There are people trying to claim full responsibility for this who say that others were at fault. I remember well the times when others, on all sides, failed for years to move forward when they were meant to do so. I ask people to forget the blame game at this stage and try to be constructive and positive. I, too, live in the Border area and I remember all the troubles there. I stood at the graves of those on both sides of the divide and I never want to have to do so again.

Deputy Finian McGrath: I thank the Leas Ceann Comhairle and the Government for allowing me some speaking time. The Taoiseach, the Minister for Foreign Affairs, Deputy Martin, and the Minister of State, Deputy Carey, were involved.

I welcome the developments in the peace process in recent weeks and commend all those involved. This is above party politics. When people do the right thing they should always be praised and commended. I commend in particular the Taoiseach and the Minister for Foreign Affairs for their patience and perseverance during the entire process, especially in recent weeks. I also commend and thank Martin McGuinness and the Sinn Féin team at the talks for their patience, courage and vision. From the Unionist tradition, I thank and commend those who were prepared to move and act on the Good Friday Agreement. Politics is about change, and on this island, in particular, we need progressive change.

I come from the tradition that wants to unite Catholic, Protestant and Dissenter. Nowadays, in modern Ireland, there are many more religions and faiths. I want to build a country based on the values of respect and equality, that will enjoy diversity and difference. Sectarianism is not part of any politics and all Members of the Oireachtas have a duty to speak out and challenge it no matter where it pops up its head on this island. When I talk about equality and respect for the Unionist tradition, which I fully support, I expect to receive the same respect for my tradition which stems from that of Tone and Connolly. Sadly, there are too many Nationalists on this island who seem to be apologetic for what they believe in and appear to be afraid to say what they stand for and support. I believe in Irish unity and independence and I expect the same respect from others that I have for their traditions and views. However, not in 1,000 years would I dream of wanting to march down the Shankill Road or any road in east Belfast, waving a banner or a tricolour. I say this because I expect the same respect from the Orange Order which should not force itself down the Garvaghy Road.

During these talks I had major concerns about the background presence of the Orange Order on the Unionist side. Happily, common sense seems to have prevailed. Respect and equality should always be the name of the game in these talks and dominance or arrogance have no place in any peace process. We have now resolved to develop politics on this island without the gun. I welcome this major progress. All politicians must stand up now and sort out political differences by democratic and peaceful methods.

The Taoiseach said in the House today that the ongoing support of all Members for the building and maintenance of peace in the North has been invaluable. It remains a strong cornerstone of continuing progress towards lasting peace and reconciliation. That is the view of the vast majority of the Members of this House and that is the way it should be. The Taoiseach also spoke of the political reality, meaning that what was determined by the electorate at the last Assembly election is that the DUP and Sinn Féin are the leading parties which can command cross-community support between them in the Assembly. It is felt, therefore, that those two parties should reach out in agreement. I was astounded during the talks by the vision and leadership shown by both parties which come from completely different traditions. I commend the leadership involved.

I have concerns that there are some people in the DUP, however, who are not happy with this deal and that there are others in the wings who want to wreck the entire peace process. This must be challenged. We, as politicians, should never take it for granted. The peace process is bigger than the political parties, both in the North and in this Dáil. It belongs to the people of Ireland and to the community, voluntary and justice groups. I emphasise the word “justice”. Peace will never have a solid foundation without justice and equality. Truth and reconciliation are a major part of any peace process. That is why I say there can be no running away from

[Deputy Finian McGrath.]

the issue of collusion, which other speakers mentioned. It is not acceptable in any state to have state forces running, funding or assisting death squads, as happens in South America.

As Members of the Dáil, let us remind ourselves what happened in the North for many years or on the streets of Dublin or Monaghan, or in places such as Loughinisland. Those involved showed clearly in many other instances the issue of collusion. We must get rid of this for once and for all. Pretending it did not happen will not heal the hurt. I say this to all sides that were active in the conflict during the past 30 years. That is why I welcome the recent disarming by all but a few of the paramilitary groups. Today I urge the few that are left to disarm and get involved in politics. It is never too late to save a life. I urge these people to read the words of Tone and Connolly, roll up their sleeves and bring Protestant, Catholic and Dissenter together and build a new Ireland, a new republic that does not end at Dundalk, and to use their energy to unite our people on this island. That is what I want to see. That is the vision for the future for which all of us in this country want to work.

Deputy Ruairí Quinn: I wish to share time with Deputy Liz McManus.

An Leas-Cheann Comhairle: Agreed.

Deputy Ruairí Quinn: Over many years I have heard and participated in many debates and special statements on Northern Ireland in this House. I sincerely hope that this may be the last such occasion. It would signal that we had come to the end of a long and tortuous journey and would pay tribute to the contributions made by so many different people. I compliment the Minister of State, Deputy Martin Mansergh, who in his own short contribution, put on the record of the House a litany of names. This went only a small way to recognising the extraordinary number of talented Irish people, on both sides of this Border and across the water in our neighbouring island, who contributed to the construction of a pathway towards peace that ultimately became wide enough and enticing enough to allow even the most reluctant to participate and travel that journey.

4 o'clock

I recall my mother, a mother of six, saying to me that any parent of a large family never goes fully to sleep until the last child is home safely. In that sense, Mother Ireland can now go safely to sleep in the sure knowledge that all the children, delinquent or otherwise, slow or quick learners, have finally found a way to live peacefully together. I endorse the claims and suggestions made by others concerning those remaining people who believe they have some kind of political mandate from history to use violence instead of persuasion, that they too would come home safely.

It is extraordinary to think of the young people of Northern Ireland who will go to the Westminster poll in May 2010 aged 18 years. They were 6 years of age when the Good Friday Agreement was signed in 1998. If one thinks further back, their parents were probably only 6 years of age in 1974 when the Sunningdale Agreement was signed. As Seamus Mallon famously said, the Good Friday Agreement was Sunningdale for slow learners.

We have travelled a long way and should celebrate that. It is to be hoped there will be a normalisation of relations, not only on this island but between these islands. The institutions of the Good Friday Agreement must be worked vigorously, both on an east-west axis, between Dublin and London, and between Belfast and Dublin.

I acknowledge the presence here of both the Taoiseach, Deputy Brian Cowen, and the Minister for Foreign Affairs, Deputy Micheál Martin, and would like to put one suggestion for consideration to the Government. I would love to see some exploration of the possibility that a childhood in Northern Ireland could somehow be enhanced and repaired by developing a

new kind of shared history for the people of these islands. This shared history should be taught in classrooms of both Glasgow Ranger and Glasgow Celtic supporters and in the classrooms of Belfast, Cork, Dublin, London, Bradford and even Warrington.

It should be a shared history of these islands and of the people who have populated them and of the migration that has taken place, North, South, east and west. It should be taught so that people's victories, trumpeted in the past years of violence, are no longer seen as somebody else's defeats. Rather, it should be shown that defeats and victories were the experience of all of the peoples of these two islands — economic defeats and migration defeats that forced people to leave the place in which they lived and grew up — so that we have a better understanding of our shared history. This is something that might be for a future generation to explore, because the wounds of the past 30-odd years of struggle will take at least a generation to heal. Learning about our shared history in an open and positive way, without bitterness, might help towards this.

I want to commend in particular the energy and attention both the Taoiseach and the Minister for Foreign Affairs have given to this project over a difficult period, at a time when they had a lot more to be doing. Their commitment to this project must be recognised.

Deputy Liz McManus: I welcome this debate, which gives us an opportunity to pay tribute to all those involved in the discussions and the agreement that has been found. In particular, I commend the Taoiseach and Prime Minister Gordon Brown for giving their time to it. They could have found many reasons not to make that special effort, but they did not. They made a special effort and were the midwives who delivered what was a difficult conclusion, but which was immensely worthwhile. They deserve credit for that.

We have seen change with regard to these negotiations. We have seen changes in terms of what is, essentially, a deal between political parties. I do not buy the idea that this issue is somehow above political parties. It is about parties having to move, accept change, accommodate and compromise. It has happened in a context where change has occurred in Northern Ireland because time has moved on and peace has been established. The public in general has moved on as a consequence. It is worth noting a change that would have been inconceivable 20 years ago, namely, that a woman, Arlene Foster, took over, albeit on a temporary basis, the role of First Minister. Also, a second woman, Margaret Ritchie, became leader of a Northern Ireland party. Dawn Purvis, already heads up the PUP. The role of women in Northern Ireland has largely been marginalised and male supremacy was seen as the way Northern Ireland coped. This kind of change is very welcome and I hope it will develop further.

People now have very different expectations of their politicians. I was very struck by the comments I heard made in the vox pops on local Belfast radio. People were extremely angry that the politicians were not doing a deal and coming to an agreement. The general view was they should get on the job because people wanted to ensure they were dealing with the real issues affecting them on a daily basis, such as unemployment, the chance of getting a decent house and security in terms of policing. These are the daily concerns of people on this island. It really does not matter whether people are North or South, they have the same concerns to a great extent. It was an indication of a healthy society that the people wanted a deal to be struck in order to ensure that these issues were confronted. The old quarrels were being put in their place to a great extent. Yesterday, when attending the funeral of Tomás Mac Giolla, I was conscious that he was very far-seeing in terms of his political view. He expressed the view many times that the issues of unemployment and housing should bind people together and that sectarianism was the evil that prevented people uniting on issues central to their lives.

Northern Ireland has many other challenges to meet. One of the major issues for the future will be how far it can depend on ongoing funding from the British Government. This funding

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has sustained Northern Ireland for a long time, but it is unsustainable into the future and this must be recognised by all, regardless of their persuasion. It is important we are straight and acknowledge that the DUP has moved considerably from its position in the past, as has Sinn Féin.

I propose we concentrate on what we can do well together, North and South, east and west. One area in which we have proven we can work well together is infrastructural development. Most people are not aware, for example, that we have an all-Ireland electricity market. This was done almost subterraneanly because it was not seen as politically difficult. However, it was a milestone and it has worked well and to consumers' benefit, North and South. We need to consider ways we can build infrastructure, particularly in the renewable area, that will be of benefit to all of us. The wind does not stop at the Border nor in the Irish Sea. There is a way to ensure we work for the benefit of our communities, whether in Scotland, Wales, England, Northern Ireland or Ireland. That is the future. The world is getting smaller and we have opportunities now that we did not have before.

We should not lose sight of the opportunities in terms of policing. While there is always the fear of paramilitarism and general criminality, I have no doubt but that devolved policing and better communication between North and South will benefit everyone on this island.

Minister for Foreign Affairs (Deputy Micheál Martin): I thank Deputies for their contributions this afternoon and welcome the expressions of support and goodwill across the Chamber for this agreement. Such unity of purpose in this House has been a great strength of the peace process and will remain important as we encourage the parties in Northern Ireland to build on the progress reached at Hillsborough.

The spirit of partnership which has marked the relationship between the two Governments as guarantors of the Good Friday Agreement was once again demonstrated at Hillsborough. I pay tribute to the role the Taoiseach and the British Prime Minister played in convening the talks and creating the conditions that enabled the parties to break the deadlock. The Taoiseach and Prime Minister worked very closely throughout this period and stayed in close touch with the talks throughout, applying appropriate and judicious degrees of encouragement, advice and pressure as we moved to final agreement. In particular, I want to pay tribute to my counterpart, Secretary of State Shaun Woodward. He and I have worked together to secure the devolution of policing and justice not just for the past two weeks, but for the past 18 months. His commitment has been extraordinary and I thank him for it.

However, it was the Northern political parties that were at the centre of what happened at Hillsborough over the past fortnight. This is their agreement just as it is their Executive and their Assembly. This deal was essential to enable the Executive and Assembly to move forward. Its implementation is the primary responsibility of all of the parties in Northern Ireland. Reaching agreement on a timetable for the devolution of justice and policing powers to the Northern Ireland Assembly was the centrepiece of this agreement. This was a major item of unfinished business from the St. Andrews Agreement. The transfer of these powers on 12 April will represent the consolidation of devolution at Stormont and the completion of the transformation of policing begun with the publication of the Patten report in 1999. The appointment of a Minister for Justice, accountable to the Northern Ireland Assembly, will signal a strong vote of confidence in the robustness and sustainability of the devolved institutions.

The DUP and Sinn Féin occupy a joint office which is at the heart of devolved government in the North and, thus, their capacity to engage with each other and reach accommodation is crucial to the stability of the institutions. The fact that they, facilitated by the Governments, have been able to conclude this comprehensive agreement around a number of contentious

and sensitive issues is, therefore, a major step forward. I want to also put on record appreciation for the leadership and political will displayed by the First Minister, Mr. Peter Robinson MLA, and the deputy First Minister, Mr. Martin McGuinness MLA, that made this agreement possible.

Government is about more than concluding agreements — the real business of government is implementation. In that process of implementation, the role of the other parties in the Assembly and the Executive is a key element, as several Deputies have articulated. This was already acknowledged by both Sinn Féin and the DUP in last Friday's plenary meeting. Questions such as the better functioning of the Executive and progress on the outstanding issues from the St. Andrews Agreement can only be taken forward successfully on an inclusive basis, taking advantage of all of the talent, expertise and goodwill available in the Assembly.

In that context, I again offer my appreciation of the leadership role Mark Durkan MLA has played over the years. He has made a most notable contribution to the peace process and we look forward to his continued advice as he devotes his career to the Westminster Parliament. We offer his successor, Margaret Ritchie, every best wish as leader of the SDLP. I have been in contact with her and will be meeting her shortly to facilitate ongoing consultation and engagement between the Government and the SDLP.

There are a number of areas which will be covered in the working group to be established on outstanding commitments from the St. Andrews Agreement. One of particular interest to this House is that of the Irish language. The Good Friday Agreement and the St. Andrews Agreement recognised the importance of respect, tolerance and understanding of the linguistic diversity and culture of Northern Ireland. The Irish Government is committed to assisting the development of the Irish language in Northern Ireland and the implementation of outstanding commitments made in the St. Andrews Agreement, including an Irish language Act. We also look forward to early agreement on an Irish language strategy. Since language issues are a devolved matter, this is an area where the Government works directly with the Northern Ireland Executive, including through the North-South body, Foras na Gaeilge.

Engagement continues with the British Government on relevant non-devolved areas such as broadcasting and through the British-Irish Council. I am pleased that, only last week, the Minister, Deputy Eamon Ryan, and his British counterpart signed a memorandum of understanding which will facilitate the continued availability of Irish television services, including TG4, in Northern Ireland after digital switchover.

As the House will be aware, the promotion and protection of the Irish language is a key priority for the Government in this jurisdiction and the work in this area can have a positive effect on the island as a whole. The 20-year strategy for the Irish language will have a beneficial impact on speakers of the Irish language on the whole island, and the Government will look at how these synergies can be optimised.

I also want to reiterate the need for tolerance and respect for both the Irish language and Ulster Scots language and culture in Northern Ireland. I have previously urged a more open approach to the Irish language by those who erroneously see it as something threatening. Far from being feared, the languages and cultures of this island ought to be shared and celebrated. I look forward to a more mature and less politicised discussion about the Irish language, building on the improved dynamic and mutual respect that enabled agreement to be reached in Hillsborough last week.

In moving forward, we need to build and consolidate trust between communities in a spirit of equality and tolerance for each other's political aspirations, cultural expression and inheritance. Much has already been achieved in building sustainable relationships where once there

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was mistrust. However, more needs to be done to knock down the barriers which physically and metaphorically separate too many in the North.

One of the issues which goes to the heart of the remaining divisions is that of parading. While most parades pass off peacefully, there remain a handful of contentious parades and another small few which retain the potential for difficulty. Against this background, the agreement between the parties at Hillsborough sets out a process for an improved framework for the management and regulation of parades. Their aim is to bring forward agreed outcomes which can achieve cross-community support. This, in itself, will be a significant step forward. The core point is that any enhanced framework would have at its core the principles of local people providing local solutions and respect for the rights of those who parade and those who live in the areas through which parades pass. This includes the right for everyone to be free from sectarian harassment. Until new arrangements have been agreed and put in place, the Parades Commission will continue to do its valuable work.

An ambitious timeframe has been set for this work. The First Minister and deputy First Minister have now appointed representatives to the working group provided for in the Hillsborough Agreement. It will report back with agreed outcomes within weeks. These outcomes will, in turn, provide the basis for widespread public consultation, leading to responsibility for parading being devolved to the Northern institutions and Assembly legislation before the end of the year. The agreement between the parties to move forward on an agreed basis has the potential to transform the situation, lifting the stresses and pressure on communities arising from parades.

Realising this potential will require generosity of spirit and respect for others on the part of all stakeholders. There is also a duty of care on those who take this work forward to ensure that the rights of all are equitably accommodated. The Government will remain close to this process as it progresses through the various stages.

As colleagues have recognised, the Hillsborough agreement provides a new platform upon which we can build stronger and deeper North-South co-operation over the months and years to come. There have been more than 50 meetings of the North-South Ministerial Council since the restoration of the Northern Ireland Executive and Assembly in May 2007. Every one of those meetings has included Ministers from the Unionist and Nationalist traditions in Northern Ireland, as well as their Irish Government counterparts. This is a hugely significant level of engagement between elected representatives in both parts of the island on the economic and social issues of most concern to those we represent. The era of “back-to-back” development has truly been consigned to the past. Ministers, North and South, no longer hesitate to pick up the phone or meet in person, discuss common challenges, argue options and agree shared approaches to the difficulties we face. That is politics as it should be. The political compromises reached at Hillsborough will free up time and space to tackle the bread-and-butter issues of most concern to ordinary people.

The Government is determined to work closely with our Northern Ireland Executive colleagues to tackle those issues on an all-island basis, wherever possible and helpful. We will continue to take a North-South approach to meeting the infrastructural needs of the island, as evidenced by our support for the upgrading to dual carriageway status of the new A5 road to Derry and Letterkenny. We are also stepping up our efforts to build a smart and dynamic “innovation island” by increasing our collaboration through the US-Ireland Research and Development Partnership and under the EU’s seventh framework programme. We are intensifying our co-operation in areas like health and education, with North-South studies completed or in train on how we can achieve economies of scale and deliver improved services. We are looking forward to examining closely with our Northern Ireland Executive colleagues ways in

which both our administrations can save money by eliminating duplication on the island. It is simple common sense that we can do more together, for less, if we pool our talents, resources and time in the many areas in which we have shared ambitions and targets.

We look forward to completing the review of North-South bodies, as set out under the St. Andrews Agreement, and areas of co-operation as soon as possible, thus ensuring Ministers can address issues of most pressing concern through the North-South Ministerial Council. We are also determined to bring into being the North-South consultative forum and the North-South parliamentary forum, which will each have a valuable role in advising the Government and Northern Ireland Executive on socioeconomic and cultural issues with a North-South dimension. The time is now right to make progress on all these outstanding issues and we look forward to doing that over the months ahead.

I thank all Members for their contributions. We will take on board many of the constructive suggestions that have been made, not least the comments made by Deputy Ruairí Quinn in terms of exploring the possibility of a shared history of these islands being developed in curricular terms for children in both Ireland and Great Britain. That idea has merit and, while some historians would relish such a task, it would be a significant one. I will not hazard a guess on whether consensus could be achieved on that as quickly as we have achieved consensus in terms of the political framework we have just developed and elaborated upon.

Deputy Ruairí Quinn: It would be a start.

Deputy Micheál Martin: I assure Deputy Flanagan that the Garda and the PSNI are working very effectively together to deal with the threat posed by the so-called dissidents and criminal elements that are out to undermine the progress that has been made in Northern Ireland in recent years. The Hillsborough agreement is the best answer to those few people who remain determined to undermine the situation and are very much rooted in the past. These people have no mandate or support and nothing to contribute and cannot succeed.

I thank Members for their constructive comments.

Adjournment Debate Matters.

An Ceann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy James McDaid — the urgent matter of the immediate appointment of a second consultant neurologist to the HSE North West, to be based in Sligo General Hospital; (2) Deputy Thomas P. Broughan — the urgent need for the Minister to fully report to Dáil Éireann on why cutbacks of up to 30% in funding have been sanctioned in 2010 for Sphere 17 and RASP programmes in Dublin 17 which provide essential community programmes including educational, health, art, drug outreach and counselling programmes and support for the local travelling community and given the appalling effect these cutbacks will have on the local North Coolock communities; if the Minister would also indicate if the Government is planning to end completely funding for these vital programmes in 2011; and if he will make a statement on the matter; (3) Deputy Joe Costello — proposals for the metering of water in family homes; (4) Deputy John O'Mahony — the urgent need for the Minister for the Environment, Heritage and Local Government to immediately sanction funding for mobility grant scheme, housing adaptation scheme, housing aid for older people scheme; (5) Deputy Finian McGrath — allegations of inappropriate housing allocation in the country's largest local authority Dublin City Council and the urgent need for the Minister for the Environment, Heritage and Local Government to have a proper inquiry into this matter; (6) Deputy Jimmy Deenihan — the problem with the processing of REP scheme four plans; (7) Deputy Brian Hayes — to obtain clarifica-

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tion from the Minister for Education and Science on the new contractual arrangements for the provision of ICT in schools and whether small Irish ICT businesses have the opportunity to compete on a level playing field for contracts; (8) Deputies Michael Noonan, Jan O'Sullivan, Kieran O'Donnell — the lack of Government finance to the Limerick regeneration agencies; (9) Deputy Dan Neville — Child and Adolescent Psychiatric Services; (10) Deputy Tom Hayes — in view of the fact that the roads in South Tipperary have deteriorated so seriously over the past three months due to flooding and frost conditions, to ask the Minister for the Environment, Heritage and Local Government to confirm when funding will be made available to improve the roads.

The matters raised by Deputies Noonan, O'Sullivan and O'Donnell and Deputy Deenihan have been selected for discussion.

Leaders' Questions.

Deputy Enda Kenny: I offer my sympathy to the 760 workers of Bank of Scotland (Ireland) which has just announced its intention to close its Halifax operations in Ireland with the loss of 760 jobs by end July 2010, which is devastating news. In that context, I put the following question to the Taoiseach. The Taoiseach will be only too well aware that the Irish taxpayer has had to write the biggest ever cheque of €54 billion in respect of NAMA. The proposition put by Government before, during and since NAMA has been that in return for our taking the huge risk of relieving the banks of their reckless loans and property deals credit would flow to Irish business. Throughout the NAMA debate last year the Government and Ministers indicated that the tens of billions of euro provided by Irish taxpayers through NAMA to the banks in respect of their toxic developer loans would be used to finance new Irish businesses by way of lending and so on.

I recall that the Taoiseach stated that his sole motivation in setting up the controversial agency was to get credit flowing into the economy. The Minister for Finance told the Dáil on 16 September last that NAMA would ensure that credit flows again to viable businesses and households. He also stated in *The Sunday Tribune* at that time that a wall of cash from NAMA could help restore credit flow and get the economy growing again. This is in complete contrast with what was stated at the meeting held with the IMF, namely, that it does not believe that NAMA will result in a significant increase in bank lending in Ireland. Why was this relevant and fundamental fact withheld from the House? The IMF is the international reputable body in respect of banks and banking issues. It now transpires from information obtained under the Freedom of Information Act that it told Government that NAMA would not result in a significant amount of credit flowing to Irish business. Why was this fact concealed from this House during the NAMA debate when it was made known to the Taoiseach and Government?

The Taoiseach: Nothing relating to these matters was concealed. The IMF supports the establishment of NAMA. As regards the issues arising from information contained on the Department of Finance website, a specific paragraph relates to the fact that NAMA will result in a significant increase in bank lending in Ireland. This is on the basis of our encouraging the adoption of a NAMA-type initiative even if the Minister had not already announced the initiative. The suggestion that the IMF was not in favour of the establishment of NAMA or indeed that we could proceed with a NAMA is not correct.

The note on which yesterday's newspaper report was based contains an endorsement of NAMA by the IMF. That particular part of the note did not make it into yesterday's reports. It is clear that the IMF fully backs the Government policy on the banks and the establishment of NAMA. The remarks made on bank lending in Ireland were made in the context of the

Minister for Finance, Deputy Lenihan, assuring the IMF that the Government did not wish to see a surge in lending designed to re-inflate the property market to near boom levels. That discussion took place at a meeting last April. We did not then and do not now regard such an outcome as desirable. The IMF agrees with us in this regard.

Since the meeting referred to in yesterday's newspaper report took place we have had an intensive debate about NAMA inside and outside this House. That debate culminated in the passage of the NAMA legislation which allows the Minister to issue guidelines to the participating institutions to facilitate the flow of credit to SMEs. The inclusion of that provision in the legislation arose directly from the concern expressed on all sides of the House that credit be available in this economy. Let us be clear, the intention of the guidelines is not to return to a credit splurge but to ensure that viable businesses and households can access funding.

The purpose of NAMA is to cleanse the banks' balance sheets of toxic loans so that we can create a healthy banking system. The role of the banks in the economy is to make credit available to viable, sustainable businesses and households. It is the Government's view that NAMA is the best way to achieve that aim. The IMF delegation agrees with that view.

Deputy Enda Kenny: The point I made was that the information given by the IMF was that there would not be a wall of cash as referred to by the Minister for Finance arising from NAMA, a fact that was not disclosed to this House by the Taoiseach or Ministers during the debate on NAMA in this House. The assertion made by Fine Gael that NAMA would not result in a return to significant lending to Irish business has been vindicated by what the IMF stated. It was further vindicated by Mr. Sheehy at an Oireachtas committee meeting in November last when he stated that if people believe that the day after NAMA is established the country will be awash with money, they are wrong — that is not going to happen.

Yesterday, the Governor of the Central Bank, Professor Patrick Honohan, criticised bank lending policy in terms of their facilities for extending credit to Irish businesses. Thousands of Irish businesses, including retail and manufacturing industries and so on, cannot get credit from banks. The Irish taxpayer has been duped by Government into writing a cheque for €54 billion in return for a wall of cash which will not be evident. This means thousands of jobs could be lost as a result of credit drying up.

In that context and in view of the fact that this materially fundamental information was withheld from the House and that the Government would have discussed this matter at some length with Government officials, will the Taoiseach tell the House what moneys, in his estimate, will be available to banks for lending to Irish business in what is now a crisis situation for thousands of small businesses. What is the Taoiseach's estimate of the amount of money will be available to be loaned to Irish businesses all over the country which are now in crisis?

The Taoiseach: Deputy Kenny has again misquoted the situation. Professor Honohan in his statement stated that the overall thrust and macro-economic policy and the pace and scale of budgetary adjustments appeared to him about right as a basis for building a sustained recovery. He also stated that interest rates on Government bonds are much lower than they were only a few months ago because of the degree to which foreign confidence is building in Ireland's ability and determination to restore the public finances and its clearly defined strategy as exemplified by the relatively tough measures already taken.

Deputy Kenny continually suggests that we are writing cheques of €54 billion in respect of NAMA operations. However, what we are doing is presenting Government bonds to the European Central Bank for the purposes of losses being taken primarily by the banks and those who own the loans, which is at great variance to how Deputy Kenny characterises the operation being brought forward.

Deputy Enda Kenny: It is still €54 billion.

The Taoiseach: Deputy Kenny continues to misrepresent the situation. The Deputy is suggesting the Government is writing a €54 billion cheque but it is not.

Deputy Denis Naughten: It is an IOU.

Deputy Enda Kenny: It is the biggest cheque ever written by the Irish taxpayer.

The Taoiseach: We are presenting to the Central Bank bonds which will be backed by assets on the basis of the reduced value NAMA will pay for them. The first losses will be taken by the banks and creditors. No matter how many times the Deputy says it, I will still keep saying what the true situation is.

As regards the question of how we deal with providing sufficient credit to the economy, it is by taking the decisions we have taken. Reducing the cost of Government debt, first of all, has reduced the cost to taxpayers. International confidence in the direction we are taking is providing funding to the Irish banking system on an ongoing basis. The fact that NAMA will be operationalised will provide further evidence of the Government's determination to proceed along the lines we have outlined. It is clear that by using the NAMA mechanism and bringing those distressed assets on to NAMA's books, we will be in a position in which banks will be able to obtain funds on international markets in addition to whatever capital they have themselves.

As we have outlined, there will be a recapitalisation programme involved. We will deal with all of that comprehensively. That is the only way we will get to a situation where we have a pathway to recovery and where banks get back to the core franchise of providing loans to the productive sector.

Deputy Pat Rabbitte: That is theoretical.

The Taoiseach: Unless we operationalise NAMA and arrange for those assets to be transferred, the Deputy's argument is a circular one because we will never get out of the trouble we are in unless we proceed as we have set out.

Deputy Eamon Gilmore: Some 760 jobs are to go in the Bank of Scotland (Ireland), while yesterday it was announced that 175 jobs are to go at Boston Scientific in Galway. That is almost 1,000 jobs in two days, on top of the 436,000 people who are already out of work as we saw from last week's live register figures. The biggest and most urgent issue currently facing this country is to get the economy repaired and recovered, and to get people back to work. I was interested to hear the comments made last night by Mr. Craig Barrett, the businessman credited with bringing Intel to Ireland. According to one report, he deconstructed the notion that Ireland could recreate its Celtic tiger economy simply by cutting costs. He advocated a prescription in three parts: smart people, smart ideas and the right environment.

We have been hearing a lot from the Government about the smart economy. In December 2008, the Taoiseach announced an innovation task force, but did not set it up until June 2009. It was supposed to report by the end of 2009, but it has not done so and we do not know when it will report. Last year, the Taoiseach promoted another good idea, which was to establish an international content services centre. The Labour Party agrees with that idea and in pursuit of it Deputy Quinn tabled a question to the Tánaiste and Minister for Enterprise, Trade and Employment, since seemingly her Department is responsible for initiatives to promote job creation. We were a bit surprised to receive a query on foot of the parliamentary question asking us to explain what we meant by an international content services centre. Can the Taoiseach say what progress has been made towards establishing such a centre? When and

where will it be established? What budgetary investment will be provided for it by the Government and what is the estimated number of jobs it will create?

The Taoiseach: I understand that Bank of Scotland (Ireland) is to make the announcement this evening. I regret the fact that those workers will lose their jobs. I understand that redundancy terms will be offered. It is part of a bank restructuring worldwide, with institutions pulling back from markets which are not profitable for them. I am pleased that a substantial part of the business of Bank of Scotland (Ireland) will remain with 850 jobs involved. This decision should not affect other players in the market. I have been assured that all customers of Bank of Scotland (Ireland) will be looked after and will not be disadvantaged by the changes.

Boston Scientific has informed IDA Ireland that 175 people on temporary contract will be released from their contracts. That is against a background where Boston Scientific continues to employ 3,000 people in Galway. It has a large number of temporary employees to facilitate a ramp-up-ramp-down process as volumes dictate.

As regards the Deputy's question on the innovation task force, I told him last week during parliamentary questions that the penultimate meeting was last week and it was likely that a report would be available by the end of this month. That is a month or six weeks later than expected, but a number of groups have been working on it. That valuable work will be beneficial.

The international content services centre will be worked on through the digital hub in liaison with the IDA. They will be working hard to see in what way we can bring that particular project forward. It is part of a number of projects concerned with identifying new areas, including Internet technologies, internationally-traded services, the green-clean tech area and the food industry. In such areas, the IDA and Enterprise Ireland can prepare a jobs strategy even in the context of this year when we expect unemployment to peak, although jobs will still be created. The churning of jobs between losses and gains continues. There is no doubt that the public finance position we are bringing forward is the best way, and a prerequisite for ensuring that we get more jobs into the economy. In that manner, these projects can obtain support and be brought from concept to fruition.

As I understand it, those are the four points the Deputy raised in his question and those are the answers.

Deputy Eamon Gilmore: Unfortunately, that answer does not tell me any more than I already know about the international content services centre. The programme for Government states that budgetary support is being committed for six priority areas in the knowledge society report, one of which is the establishment of an international content services centre in co-operation between the digital hub and the IDA. The Labour Party supports that, but what level of budgetary support is being provided for the international content services centre? When will it be established?

In a report dated 23 July 2009, the Minister for Communications, Energy and Natural Resources, Deputy Eamon Ryan, announced that the international content services centre would be established in 2010. Will it be established this year? If so, where will it be located and how many jobs will it generate? I am inclined to agree with the Minister, Deputy Ryan, when he says that it has the potential to create thousands of jobs. It is an IFSC-type idea for digital content and has huge potential. The only problem is that we have not seen much evidence of the Government doing anything to follow through on it. Can the Taoiseach answer those questions? What level of budgetary support has been, or is being, provided for this? Will it be established in 2010 and, if so, where and what is the estimate for the number of jobs it will create? Is anything being done about it?

The Taoiseach: As I just explained to the Deputy, it has the potential to create many thousands of jobs.

Deputy Eamon Gilmore: Potential, yes.

The Taoiseach: The IDA is leading that project and is working with the digital hub. IDA personnel are working on that matter and when it emerges, if they can bring forward a proposal for consideration by the board, it will of course obtain budgetary support through the IDA's grant in aid and all the other facilities we have available to assist enterprise supports. We are providing over €200 million this year for enterprise supports. When a mature project is brought before it, the board will consider it in the normal way. It is not a question of picking something out of the air and deciding "Here's the international content services centre". One must sit down and work with partners to see in what way one can bring forward experts in this area, in addition to the expertise we have identified at home ourselves. It is not a question of sitting back on any of these projects.

The work of seeking new opportunities for the IFSC is ongoing. As regards all areas of activity, Enterprise Ireland and the IDA are devising strategies based on the new situation we are in, including identifying the areas I have just mentioned. The IDA has been looking at high-level manufacturing and pharmaceuticals — areas with which we are all acquainted and where we have some strengths. Despite worldwide foreign direct investment being down by 30%, it was up 4% here last year, which was the worst year we ever had.

Deputy Eamon Gilmore: The Taoiseach does not know the first thing about it.

An Ceann Comhairle: Deputy Gilmore, please.

The Taoiseach: The Deputy does not want to hear anything because his view is——

Deputy Eamon Gilmore: The Taoiseach knows nothing about it.

An Ceann Comhairle: Deputy Gilmore, please.

The Taoiseach: The Deputy has a typical approach which says that it has protected 5,000 jobs so where are the 5,000 jobs. Work must take place for that to happen. IDA Ireland, which is far more qualified than the Deputy in bringing forward foreign direct investment to the country, is actively pursuing that project. Those on the other side of the House were sceptical about other major projects introduced by Fianna Fáil-led Governments; we will prove them wrong on this one as well.

Deputy Joan Burton: Like the developers and the building industry.

Resignation of Member.

An Ceann Comhairle: I wish to announce for the information of the House that I have received a letter of resignation from Deputy George Lee as Member of Dáil Éireann with effect from Monday, 8 February 2010. I have laid the letter before the Dáil.

Requests to move Adjournment of the Dáil under Standing Order 32.

An Ceann Comhairle: Before coming to the Order of Business, I propose to deal with a number of notices under Standing Order 32. I will call on Deputies in the order in which they submitted their notices to my office.

Deputy Pat Breen: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, to discuss the €10 air travel tax. This tax is depressing our tourism and aviation industries, especially at Shannon Airport, where we are set to lose several European and UK routes. The economy of the mid-west is very dependent on the tourism industry. Unemployment in County Clare is on the rise again and this tax is affecting our competitiveness. I want the Minister for Finance to clarify immediately if he will abolish this tax as it is an unfair tax in an island nation, is destroying the aviation sector and is wiping out the region. The Minister must take action now and acknowledge the mistake he made in introducing the air travel tax.

Deputy Kieran O'Donnell: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, given the confusion surrounding the future of the Limerick regeneration process, which falls under the responsibility of Cabinet, I call on the Taoiseach as head of Cabinet to immediately clarify the situation regarding the current and capital funding of Limerick regeneration for 2010 and subsequent years and not renege on his Government's commitments on funding for this vital project in the interest of restoring credibility with people in the process of the regeneration of the areas of Moyross, Southill, St. Mary's Park and Ballinacurra Weston and the wider Limerick city.

Deputy Arthur Morgan: I seek the adjournment of the Dáil under Standing Order 32 to raise a matter of national importance, namely, the need to summon the Minister for Health and Children into this House to give an undertaking that she will immediately halt the cut to accident and emergency services at Our Lady's Hospital Navan, and to afford the people of its catchment area a reasonable level of health service; and to get an undertaking from the Minister that she will cease cramming services into Our Lady of Lourdes Hospital, Drogheda, which does not have the capacity to take on these additional services. Our Lady of Lourdes Hospital is not a regional hospital and does not have the capacity to handle the work of a regional hospital. The Government should wise up and stop cutting back on our health services.

An Ceann Comhairle: Having considered the matters raised, I do not consider them to be in order under Standing Order 32.

Order of Business.

The Taoiseach: It is proposed to take No. 12, motion re referral to joint committee of proposed approval by Dáil Éireann of a proposal that section 17A of the Diseases of Animals Act 1966 shall continue in force for the period ending on 8 March 2011; and No. 4, Finance Bill 2010 — Order for Second Stage and Second Stage.

It is proposed, notwithstanding anything in Standing Orders, that the Dáil shall sit later than 8.30 p.m. tonight and business shall be interrupted not later than 10 p.m.; and No. 12 shall be decided without debate. Private Members' Business shall be No. 76, motion re remuneration of public servants.

An Ceann Comhairle: There are two proposals to be put to the House. Is the proposal for the late sitting agreed to? Agreed.

Is the proposal for dealing with No. 12 motion re referral to joint committee of proposed approval by Dáil Éireann of a proposal that section 17A of the Diseases of Animals Act 1966 shall continue in force for the period ending on 8 March 2011 without debate agreed to? Agreed.

Deputy Enda Kenny: It is not that I have a recently freed candidate for this position, but in respect of the local government (office of the Dublin mayor and regional authority of Dublin) Bill, we are now approximately 14 weeks from having to appoint or elect a nominee to this position. Given that it is on list C and the heads have not yet been approved by Government, when can we expect it to be published? It is mentioned to be published sometime during 2010.

Given the appalling report about the facilities at St. Ita's Hospital in Portrane, in respect of the mental health (amendment) Bill, is the Taoiseach in a position to announce progress on expediting the contract to provide decent facilities for those people who are suffering to an enormous extent with grossly inferior Dickensian facilities in St. Ita's Hospital?

Deputy Eamon Gilmore: I wish to speak about the first item Deputy Kenny mentioned. I do not at this stage wish to declare whether I have a candidate. However, I would like to know when the election will take place. There was some newspaper reportage on speculation that the Government would approve the heads of the local government (office of the Dublin mayor and regional authority of Dublin) Bill. Has that happened? When will the Bill be published?

A Deputy: Did the Taoiseach clear it with Deputy Bertie Ahern?

Deputy Eamon Gilmore: Will the heads of the Bill be circulated. Can the Taoiseach make a categorical statement on the matter? The Minister for the Environment, Heritage and Local Government has been saying that the election would be held in June.

A Deputy: Which year?

Deputy Eamon Gilmore: This year. I would like the Taoiseach to make a categorical statement as to whether it will be held in June.

Deputy Pat Rabbitte: Some chance of that.

The Taoiseach: The programme for Government stated that this election will be held during 2010. The Minister has indicated his hope that he would like to have it in the middle of June. At the moment that depends on the passage of the legislation and the work being done on it. The commitment in the programme for Government is that it will take place this year and we intend honouring that commitment. The heads of the Bill were approved today.

Regarding the matter raised by Deputy Kenny and the mental health infrastructure replacement programme, the Government is honouring its commitments given in adopting A Vision for Change as national policy. Some €25 million was provided in the 2009 Supplementary Estimate from the proceeds of historical disposal of assets associated with the mental health service. Budget 2010 made provision for a further investment of €43 million in 2010 to be met from the proceeds of disposals of existing properties. The Department of Health and Children is reviewing the capital proposals and following up with the HSE where further details may be required. The matter is being taken up by the Minister of State, Deputy Moloney.

Deputy Eamon Gilmore: I thank the Taoiseach for telling us that the heads of the local government (office of the Dublin mayor and regional authority of Dublin) Bill have been approved. Will he circulate the heads to the political parties? It is in the public interest that we know what kind of post the Government has in mind. In the interest of electoral fair play, if there is to be an election for this office some time in 2010 it would be important to have the heads of the Bill so that we can at least see the job description for the post, which would be useful for all political parties in discussing the post with prospective candidates.

The Taoiseach: I shall ask the Minister what are his plans in that regard. The heads of the Bill have been approved today.

Deputy Liz McManus: The House has passed the Broadcasting Act, which contains requirements for the Minister to make appointments to two boards, the RTE board and the Broadcasting Authority of Ireland board, and also for the Oireachtas joint committee to come forward with recommendations. We went through an exhaustive procedures to come up with our recommendations. Unusually for a Green Party Minister, the Minister did not make the appointments. We now find he has had to put a stay on all the appointments because there is some legal difficulty.

An Ceann Comhairle: The Deputy is getting into the detail.

Deputy Liz McManus: I appreciate that.

Deputy Pat Rabbitte: The Minister did not.

Deputy Liz McManus: The House has passed the legislation. There clearly is a difficulty. I have raised the matter before and have not received any clarification as to what is the legal problem. Will the Taoiseach advise the House as to whether the Attorney General has been asked to give an opinion on this, if it has been received, in the event, and what exactly the position is? Does the Taoiseach now intend that there will be new broadcasting legislation brought forward or what are we going to do about the fact that the Broadcasting Authority of Ireland is making major decisions, including budgetary ones, and there is no full board in place? Even the people who have been appointed by the Minister have now had a stay put on their appointments. This is totally undemocratic. It does not allow for scrutiny yet major decisions are being made.

An Ceann Comhairle: Deputy McManus is going into far too much detail.

Deputy Liz McManus: It is a cock-up, the responsibility for which lies with the Taoiseach. Perhaps he could please sort it out and advise this House what the obstacle is and how he and the Government will sort out the mess the Minister, Deputy Ryan, has created.

Deputy Simon Coveney: This is an embarrassing cock-up by the Minister concerned.

An Ceann Comhairle: We cannot have a detailed debate on this matter at this stage.

Deputy Simon Coveney: The Ceann Comhairle has given me about three seconds to make my point.

An Ceann Comhairle: It is a continuation of the previous contribution.

Deputy Pat Rabbitte: Try, "It's not embarrassing".

(Interruptions).

Deputy Simon Coveney: Does the Ceann Comhairle agree that it is embarrassing for the Minister if there has to be a question? Will the Taoiseach not release the Attorney General's advice or opinion to the Opposition spokespersons who have been involved in the process for the first time as regards the selection of board members to any State authority and, as such, are part of this process? If and when the Taoiseach gets it will he please release it to us so that we may at least try to take some control of the situation? Four people, in the case of those

[Deputy Simon Coveney.]

Deputy McManus and I have been involved in selecting, have been appointed to a board, but now find themselves in limbo.

The Taoiseach: The Deputy is aware that the Attorney General's advice is for Government only. That is always the case. As regards the actual matter in question, I shall ask the Minister to contact the Deputies and inform them of the up to date position.

Deputy Arthur Morgan: Does the Ceann Comhairle agree that the Government is not embarrassed about anything?

Deputy Dermot Ahern: The Deputy was embarrassed over the last couple of weeks. The *Irish News* was looking for him.

Deputy Arthur Morgan: I have two brief questions. First, I ask the Taoiseach whether he would continue moving the two by-elections on the same day — I refer, of course, to Donegal South-West and Dublin Central — given the nature of the vacancies in both cases. It is not as if there has been a bereavement and people have to delay for a decent amount of time. The two could be held very quickly.

In light of the 760 jobs to go at Halifax, will the Taoiseach not require his Ministers to bring forward a stimulus package to try to get those people back to work? I am not going to give the list of job losses——

An Ceann Comhairle: Despite the fact we are from the same constituency, the Deputy will have to find an alternative way to raise this matter.

Deputy Arthur Morgan: ——and the Ceann Comhairle knows how serious this is because 130 of those jobs are in his constituency, together with 200 jobs at Bitech last week. Will a stimulus package be introduced to deal with the unemployment crisis?

The Taoiseach: I do not know what further stimulus package the Deputy can have in mind, given that we have a deficit of 10.75%. There is a capital budget of €6.5 billion, as I have repeatedly explained, for this year, which will support many tens of thousands of jobs. Indeed, €1.2 billion is being provided for maintaining and protecting existing jobs and providing training for those who are, unfortunately, out of work. A very significant investment is being made by the Government, but the idea that a further stimulus package could be introduced that would extend the deficit is simply not a viable proposition.

As regards the bank job losses, I have outlined my regret that this has happened. It relates to the withdrawal from the market by this company in respect of some of its activities. A redundancy package will obviously be offered to the employees, but it is important to emphasise, based on the considerable losses we have seen in the banking system, that there have been job casualties there, as with other sectors of the economy, where losses have been incurred.

Deputy Seymour Crawford: I have two issues to raise. In light of the ongoing efforts of EirGrid to install a cable from North to South and the problems that this is creating for many people, when will the——

An Ceann Comhairle: That is not appropriate for the Order of Business.

Deputy Seymour Crawford: It is totally appropriate.

An Ceann Comhairle: No it is not, there is no new legislation involved.

Deputy Seymour Crawford: There is, on this agenda, the electricity transfer of permission assets Bill, which specifically relates to EirGrid. That would allow us to discuss the whole EirGrid situation in this House.

Deputy Bernard J. Durkan: Hear, hear, it is perfectly reasonable.

An Ceann Comhairle: The Deputy should not expand the debate at this stage.

Deputy Seymour Crawford: It is vital that issues such as this should be brought before the House. There is a major health problem in the Ceann Comhairle's constituency and mine, with medical people on the radio this morning advising us as regards the facts.

An Ceann Comhairle: Allowing for the north-east latitude, this is really stretching things.

Deputy Seymour Crawford: When will the health information Bill be introduced so that we may get the truth as regards the health system, rather than something someone wants to ram down our throats?

The Taoiseach: The health information Bill will be introduced in the middle of this year, I understand, and the electricity transmission of assets Bill will be later in the year.

Deputy P. J. Sheehan: What steps will the Taoiseach take to ensure that Oireachtas Members' inquiries and parliamentary questions will be answered and proper service given to democratically elected public representatives?

Deputy Bernard J. Durkan: Hear, hear.

Deputy P. J. Sheehan: I have contacted five Departments today and got no replies.

An Ceann Comhairle: This is not for the Order of Business, Deputy, please. I call Deputy Fergus O'Dowd.

(Interruptions).

Deputy Bernard J. Durkan: There has to be an answer to that, Ceann Comhairle.

An Ceann Comhairle: A sub-committee is dealing with these matters.

Deputy Bernard J. Durkan: On a point of order, we have raised that question countless times on this side of the House. Every time we raise this, it is washed over and we are told that a committee is dealing with it. The committee is here now and the issue is this — will each Minister answer questions as put to him or her relative and relevant to the particular Department? As long as that is ignored, there will be no democracy in this country and——

An Ceann Comhairle: This is the Order of Business.

Deputy Bernard J. Durkan: ——the Ceann Comhairle has a duty, as Chairman of the House——

An Ceann Comhairle: Will the Deputy please resume his seat?

Deputy Bernard J. Durkan: ——to protect the Members of the House.

An Ceann Comhairle: Will the Deputy resume his seat? I call Deputy Fergus O'Dowd.

Deputy Bernard J. Durkan: For God's sake, this is what we go through every day. Where are we going?

(Interruptions).

Deputy Bernard J. Durkan: I had two dozen questions last week and it was the same old story with every one of them — no answer. The Government must be laughing at us.

Deputy Fergus O'Dowd: In view of the fact that the penalty points system has been brought into disrepute due to the fact that 20,000 drivers were handed down serious convictions in the District Courts for road traffic offences such as dangerous driving, driving without insurance, driving defective dangerous vehicles, etc., and the penalty points incurred cannot be applied to them because the law does not require the compulsory recognition of the driving licence number, when will the Road Traffic Bill 2009 be brought before the Dáil to address this issue?

The Taoiseach: That is due in this session, but there are already provisions in legislation where that can be handled.

Deputy Kieran O'Donnell: I raise the Finance Bill that the House is debating today. The Taoiseach is probably fully aware that people in Limerick have concerns as regards the regeneration project. Does he envisage that the Government will be——

An Ceann Comhairle: This matter is on the Adjournment.

Deputy Kieran O'Donnell: It relates to the legislation. Will the Government bring forward amendments to the legislation to provide capital allowances and tax designations for the regeneration areas in Limerick, and furthermore will he commit to provide funding for the area as well?

An Ceann Comhairle: Three Limerick Deputies are on the Adjournment tonight, speaking on this area, including Deputy O'Donnell. I call Deputy David Stanton.

Deputy Kieran O'Donnell: I refer to a point of legislation, Ceann Comhairle, and I believe I am in order to raise that.

The Taoiseach: Deputy O'Donnell will be able to make his points on the Second Stage of the Finance Bill, which will be commencing shortly.

Deputy David Stanton: I realise he has been busy recently but has the Taoiseach had time yet to brief himself on the proposals on which his hard working Chief Whip has been working regarding Dáil reform because I understand we are waiting for the Taoiseach's *imprimatur*? When will the Minister for the Environment, Heritage and Local Government publish his proposals for Seanad reform? We were told they would be coming forward last Christmas.

The Taoiseach: I assure the Deputy that regarding any proposals I have for Seanad reform, I will let my parliamentary party know in advance.

Deputy Bernard J. Durkan: The Taoiseach should not go too far down that road.

The Taoiseach: In respect of the Dáil reform issue, I will be discussing it with the Chief Whip shortly.

Deputy Enda Kenny: We know all the stories.

Deputy David Stanton: The question was when will the legislation promised with regard to Seanad reform be published. When is it expected to be published? The question is in order.

Deputy Enda Kenny: We will discuss it with Senators.

The Taoiseach: I am not aware any date has been given for it.

An Ceann Comhairle: The query is really a matter for the Seanad.

A Deputy: We will have to ask the Minister, Deputy Batt O’Keeffe.

Deputy David Stanton: The Minister has promised legislation.

An Ceann Comhairle: It is a matter for the Seanad.

Deputy Bernard J. Durkan: It is not a matter for the Seanad. It is a matter of Dáil reform.

Deputy Joe Costello: The Government published its strategy on homelessness entitled The Way Home two years ago and it promised to abolish long-term homelessness by the end of 2010. Will the Taoiseach indicate if this is still the policy, considering the Government has just closed down, or will be closing down by the beginning of March, one of the two homeless shelters on the northside, Cedar House? What does he propose to do in the absence of any alternative provisions for the 100 plus homeless people who are being dealt with in that shelter?

5 o'clock

An Ceann Comhairle: Is there promised legislation in this area?

The Taoiseach: I am not aware of the detail the Deputy relates in respect of the particular facility to which he refers in his part of the city, but a homelessness strategy is being implemented. A lot of good work has been done in recent years and considerable moneys have been applied, which has resulted an improvement in the situation. I am not aware of the specific matter the Deputy raises. It would be better to table a parliamentary question to the Minister concerned.

An Ceann Comhairle: I call Deputy Michael Creed.

Deputy Joe Costello: It seems the way to do it is not to eliminate homelessness but to eliminate the shelters.

An Ceann Comhairle: Deputy Costello, please.

Deputy Joe Costello: The Taoiseach should note there is no alternative.

An Ceann Comhairle: Please Deputy Costello.

Deputy Joe Costello: This affects ordinary people who are given shelter there on a regular basis.

An Ceann Comhairle: Will the Deputy resume his seat, please?

Deputy Joe Costello: The service being provided is being done away with.

An Ceann Comhairle: Will Deputy Costello resume his seat, please?

Deputy Joe Costello: It was decided by someone in an office.

An Ceann Comhairle: Will Deputy Costello resume his seat, please?

Deputy Joe Costello: This is the target of the Civil Service.

An Ceann Comhairle: The Deputy should resume his seat when the Chair is on his feet, please.

Deputy Joe Costello: That is the policy in 2010. It is outrageous.

Deputy Michael Creed: Last Thursday, the Government delivered a calculated deliberate snub to the Office of the Ombudsman by the manner in which it dealt with the Ombudsman's report on the Lost at Sea scheme. Will the Taoiseach indicate if his Government has opened up any communication with the Ombudsman's office to progress a satisfactory solution on this matter, which has been dealt with comprehensively?

An Ceann Comhairle: Is there promised legislation in this area?

Deputy Michael Creed: A report is laid before the Houses of the Oireachtas——

An Ceann Comhairle: We held a debate last week on the matter.

Deputy Michael Creed: Therein lies the kernel of the matter. We did not hold a debate. We had bland, meaningless, sterile statements where they circled the wagons to protect one of their own in Fianna Fáil.

Deputy Bernard J. Durkan: Hear, hear.

An Ceann Comhairle: The Deputy will have to find another way to pursue this matter.

Deputy Michael Creed: Will the Taoiseach indicate if his Government intends to open up dialogue with the Office of the Ombudsman to bring about a satisfactory solution——

An Ceann Comhairle: The Deputy will have to find an alternative way of pursuing this matter, please.

Deputy Michael Creed: ——or is it elevating the interests of Fianna Fáil above the interests of the Ombudsman's office and the citizens who complain to it?

An Ceann Comhairle: The Deputy will have to bring forward a motion to deal with it. We will move on.

Deputy Michael Creed: In an effort to be helpful in this matter, will the Taoiseach agree to allow the Joint Committee on Agriculture, Fisheries and Food consider this matter in forensic detail? Will the Taoiseach facilitate that debate by instructing his Members on the committee to agree to a request to examine in detail the Ombudsman's report?

The Taoiseach: No. The matter has been dealt with in a report and brought to plenary session here and debated in the House.

Deputy Michael Creed: There was not a debate in the House, as the Taoiseach knows.

An Ceann Comhairle: Deputy Creed, please.

Deputy Michael Creed: There was a sterile, meaningless debate.

An Ceann Comhairle: Will Deputy Creed resume his seat?

Deputy Michael Creed: It is the first time the Ombudsman's report has been rejected by Government——

An Ceann Comhairle: Will Deputy Creed resume his seat?

Deputy Michael Creed: The Taoiseach is a disgrace.

The Taoiseach: The Deputy is a disgrace.

Deputy Michael Creed: The Taoiseach is a disgrace by undermining the Ombudsman's office. He should be ashamed of himself. It is an independent office.

An Ceann Comhairle: I call Deputy Bernard Durkan.

Deputy Michael Creed: This issue will not go away.

Deputy Bernard J. Durkan: On promised legislation——

Deputy Michael Creed: It tramples on the little people; that is what the Taoiseach's Government is about.

An Ceann Comhairle: Deputy Creed, please.

The Taoiseach: That is rich coming from the big farmer.

Deputy Michael Creed: Has the Taoiseach a problem with farmers now as well?

An Ceann Comhairle: Will Deputy Creed resume his seat, please?

The Taoiseach: There are rich farmers and other people.

Deputy Michael Creed: I do not have an acre of land in my name. The Taoiseach resorts to playing the man, not the ball. That is what he is at.

The Taoiseach: That is the Deputy's game.

(Interruptions).

An Ceann Comhairle: Will Deputy Creed resume his seat, please?

Deputy Michael Creed: The Taoiseach is a disgrace.

An Ceann Comhairle: Deputy Creed, please. I call Deputy Bernard Durkan.

Deputy Michael Creed: The Taoiseach should not trample on the little people.

(Interruptions).

Deputy Bernard J. Durkan: Speaking of bigger people, I refer to the promised legislation to consolidate the legislation relating to the Central Bank into a single statute. Publication is expected in 2010. As the Taoiseach is well aware, I have raised this matter before and I am raising it again. What progress has been made to bring that Bill before the House since I last raised the matter on the second day of this month?

I refer to the Central Bank (No. 2) Bill which aims to address the question of necessary changes and enhancements to the regulatory functions of the Central Bank. Surely, it must be a priority in this country at this time? The legislation is to consolidate and modernise financial

[Deputy Bernard J. Durkan.]

services legislation according to the Government's better regulation agenda, a matter I have raised before in the House. "Publication expected." was the answer to the question on the last occasion and it was not possible to indicate a date at that stage. Will the Taoiseach indicate what progress, if any, has taken place since I raised that question on the last occasion?

The Taoiseach: What was the final Bill?

Deputy Bernard J. Durkan: The financial services regulation Bill.

The Taoiseach: There is no date for that Bill. The Central Bank (No. 2) Bill will be introduced before the summer. The consolidation Bill will be later this year.

Deputy Bernard J. Durkan: A very cryptic reply.

The Taoiseach: I wish to be accurate and to the point.

Deputy Bernard J. Durkan: We will raise the matter again. I am sorry about this a Cheann Comhairle.

Deputy Tom Sheahan: I wish to ask the Taoiseach a question on behalf of the small farmers of South Kerry. In excess of 70% of the farmers in South Kerry have not received their REPS payments because there is not a superintendent in the Department——

An Ceann Comhairle: The Deputy should note there are so many other ways to raise a matter such as this.

Deputy Tom Sheahan: ——of Agriculture, Fisheries and Food in Kerry. In excess of 70% have not received their REPS cheques because there is no superintendent to sign off on them.

Deputy Bernard J. Durkan: Hear, hear.

Deputy Tom Sheahan: Will the Taoiseach get around the recruitment embargo and put a Department of Agriculture, Fisheries and Food superintendent in office in Kerry, please? There is now a travel embargo where the outside superintendents cannot come.

An Ceann Comhairle: The matter has been allowed on the Adjournment tonight. I am sure the answers will be available at that point.

Deputy Bernard J. Durkan: Does the Ceann Comhairle reckon so?

Deputy Tom Sheahan: There will be no answers on the Adjournment either. I have simply asked the Taoiseach a question. There are in excess of 70% of the farmers——

An Ceann Comhairle: I am sure a detailed reply is being prepared for later on.

Referral to Joint Committee: Motion.

Minister of State at the Department of the Taoiseach (Deputy Pat Carey): I move:

That the proposal that Dáil Éireann resolves that section 17A (inserted by section 2(1) of the Diseases of Animals (Amendment) Act 2001 (No. 3 of 2001)) of the Diseases of Animals Act 1966 (No. 6 of 1966) shall continue in force for the period ending on 8th March, 2011, be referred to the Joint Committee on Agriculture, Fisheries and Food in accordance with paragraph (2) of the Orders of Reference of that Committee, which, not later than 23rd

February, 2010, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.”

Question put and agreed to.

Finance Bill 2010: Order for Second Stage.

Bill entitled an Act to provide for the imposition, repeal, remission, alteration and regulation of taxation, of stamp duties and of duties relating to excise and otherwise to make further provision in connection with finance including the regulation of customs.

Minister for Finance (Deputy Brian Lenihan): I move: “That Second Stage be taken now.”

Question put and agreed to.

Finance Bill 2010: Second Stage.

Minister for Finance (Deputy Brian Lenihan): I move: “That the Bill be now read a Second Time.”

The Finance Bill 2010 ensures that all sectors play their part in the critical task of stabilising the public finances. We know from our experience of recent decades that unless we restore order to the public finances, our economy will not recover. The extraordinary budgetary adjustments the Government has introduced during this economic crisis have halted the deterioration in the budget balance and boosted international confidence in our ability and willingness to put our house in order.

The benefits of these decisive actions can be seen in the sharp drop in our borrowing costs over the past year. Had we not taken strong measures in December’s budget and convinced international markets of our determination to correct the public finances, we surely would not have escaped the jump in borrowing costs that some other euro area members have suffered over recent weeks.

We must remain steadfast on the path to fiscal correction set out in the budget. We are setting the seeds for economic recovery and new job creation. The unemployment rate will peak this year at just over 13%. This is less than projected last April but it is still unacceptably high. That is why we must continue to encourage employment growth through targeted measures that will build on our existing strengths and put us in the position to take advantage of the recovery that my Department and the Central Bank are forecasting for later this year. The Finance Bill 2010 does exactly that.

The Government remains committed to providing a pro-enterprise environment and to maintaining our relatively low tax burden on business. This will assist us in maintaining and enhancing our competitiveness. Unless we sharpen our competitive edge, we will be unable to return to the tried and tested strategy of export-led growth. With this in mind, the Bill extends the existing scheme of tax exemption on the income and gains of new start-up companies over the first three years of operation. It will now be available to companies which commence trading in 2010.

The Bill also contains measures to facilitate the development of Islamic finance in Ireland. Islamic finance covers any financing arrangement that is compliant with the principles of Sharia law. Islamic finance is the fastest growing sector of the international financial services industry and it is important that we be in a position to attract this new type of investment into Ireland.

[Deputy Brian Lenihan.]

Under these provisions, the tax treatment applicable to conventional finance transactions will be extended to embrace Islamic finance.

I have received a number of proposals to establish a medium-term national savings product as an additional source of funding for capital investment. In the budget, I announced the introduction of a national solidarity bond. The Bill gives effect to that announcement. The national solidarity bond will be marketed by the NTMA to small investors over the next few months. Unlike some other NTMA long-term savings products such as savings certificates, the bond will pay interest on a periodic basis over its lifetime in addition to interest at the end of its lifetime.

In my budget speech, I promised to bring forward a package of measures to improve the effectiveness of the Revenue Commissioners in tackling the shadow economy, addressing smuggling and excise frauds, and dealing with tax avoidance schemes, all of which are a matter of acute current public interest and concern.

The Revenue Commissioners' experience from dealing with a series of investigations over the years is that offshore vehicles have commonly featured as a key element of the tax evasion process. In the context of the property-induced crisis with which NAMA is now involved, we are concerned that similar offshore vehicles have been used to evade tax. The Bill facilitates access by Revenue to information in the possession of NAMA about any offshore entities or vehicles involved in transactions that are now under its scrutiny.

There are a number of other Revenue powers or measures included in the Bill. One in particular will allow for a substantial increase in the fines that a court may impose on those convicted on indictment of certain offences under excise and custom law. These provisions will be particularly important in the fight against tobacco smuggling which has become a significant problem with serious implications not only for the health of our citizens, but also for the Exchequer.

While we continue to battle our way through these challenging economic conditions, we must remain aware of the longer term but perhaps even more difficult challenge posed by climate change. It is the responsibility of governments everywhere to change behaviour to reduce our greenhouse gas emissions. Accordingly, this Bill provides full details of the carbon tax I announced on budget day. The tax has already been applied to petrol and auto-diesel. It will apply to kerosene, marked gas oil, liquid petroleum gas, fuel oil and natural gas from next May and the application of the tax to coal and commercial peat will be subject to a commencement order.

As a result of the European Court of Justice's ruling against Ireland of 16 July 2009, the VAT legislation must be amended to allow public bodies, including local authorities, to be subject to VAT where they engage in activities that lead to a distortion of competition with private operators. Examples of services that will now be subject to VAT include waste collection, landfill and recycling; off-street parking; toll roads; the operation of leisure facilities; rent from certain lettings of commercial property; and the supply of staff and data. It should be noted that such services are already subject to VAT where they are provided by a private operator. This seems to have escaped comment in much criticism of this measure. The standard or the reduced VAT rates will apply as appropriate. The changes will apply from 1 July 2010. Education, health, water and passenger transport services will not, however, become subject to VAT arising from the judgment.

Business customers who charge VAT will not be affected by this change since they can claim for any VAT charged by a public body. The impact on private individuals, VAT-exempt entities and other non-registered bodies will depend on whether the VAT is passed on by the public

bodies, which in any event should be limited somewhat since public bodies providing the affected services will have entitlement to deduct VAT on their inputs.

The Bill abolishes six tax reliefs, as recommended by the Commission on Taxation. This is in addition to the announcement in the budget that mortgage interest relief will be abolished on a phased basis and the removal of a number of property based reliefs in the health sector in the Finance Act 2009.

The effect of these changes has been to remove unnecessary costs and distortions from the tax system. I am committed to continuing this process. To that end, I will ask each of my colleagues in government to assess the effectiveness of tax expenditures within their sectors, with particular reference to those that the Commission on Taxation recommended should be removed from the tax code. My Department will review the outcome of that sectoral analysis and I will report to the Cabinet by the end of June 2010. This new approach will place the onus for objectively justifying the retention of any expenditure on the sector benefiting from the relief. My Department will then be in a position to present the Cabinet with an analysis on which to make well-informed decisions about the future of tax expenditures in good time for the 2011 budget.

I will now describe some of the main provisions contained in the Bill in the time available to me. Part 1 of the Bill covers the income levy, income tax, corporation tax and capital gains tax. My budget day announcement that an exemption from the income levy would be provided for certain capital expenditure incurred by farmers in meeting the requirements of the EU nitrates directive is in section 2. This section also makes a number of technical amendments to the income levy, including placing the levy on the same footing as income tax for double taxation agreements and cross-Border worker relief.

Two tax reliefs recommended for abolition by the Commission on Taxation are dealt with in section 4. It ends the tax relief for long-term care policies and the benefit-in-kind relief relating to the loan of certain art objects.

Section 5 contains a number of changes which will simplify the approval of qualifying health expenses for tax relief purposes. The requirement for approving medical institutions is removed. Instead, maintenance or treatment costs will now qualify for relief where they are necessarily incurred in association with the services of a practitioner or diagnostic procedures carried out on the advice of a practitioner. Nursing home fees will qualify for relief provided the nursing home concerned provides qualified nursing care on-site 24 hours per day. I am also amending the legislation to clarify that tax relief is available in respect of private contributions made towards the cost of the upkeep of an individual under the fair deal scheme.

Section 6 provides for the changes to the mortgage interest relief regime announced in the budget. To support those who bought their homes at the peak of the housing market, relief is being extended until 2017 for those who took out a qualifying home loan in 2004 or thereafter. To provide encouragement to those who may wish to purchase in the next three years, relief will be available at current levels until 2017 for loans taken out between 1 January 2010 and 31 December 2011. This is an extension of six months on my budget day announcement. It has been made because it is more convenient to have such a cut-off point at the end of a calendar year. A reduced rate of relief will apply for qualifying loans taken out after this date, but before the end of 2012. This reduced rate will be 15% for first-time buyers and 10% for non-first time buyers with ceilings of €6,000 for married couples and €3,000 for single individuals applying in both cases. Loans taken out in 2013 or after will not qualify for mortgage interest relief. Mortgage interest relief will no longer exist for the tax year 2018.

Section 9 enhances the current remittance scheme which provides an incentive for foreign employees to undertake an assignment in Ireland. The scheme is being extended to include

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EU and EEA nationals while reducing the amount of time they have to spend in Ireland from three years to one year.

Section 9 enhances the current remittance scheme which provides an incentive for foreign employees to undertake an assignment in Ireland. The scheme is being extended to include European Union and European Economic Area nationals while reducing from three years to one year the amount of time they have to spend in Ireland.

Section 11 provides for the abolition of tax relief on service charges. This change is in line with the recommendations of the Commission on Taxation. Provision of such relief is inconsistent with the overall thrust of having persons meet the economic costs of the services provided. Relief can be claimed this year for service charges paid in 2009 and relief can be claimed next year for charges paid in 2010. There will be no relief on charges relating to the year 2011 which would have been claimed in 2012.

An anti-avoidance provision, section 12, tightens up the rent a room scheme.

Section 15 makes a number of amendments to certain pension-related tax provisions and introduces a requirement for the electronic delivery of certain information in respect of small self-administered pension schemes. Sections 16 to 18, inclusive, are designed to prevent abuse of certain types of share-based remuneration schemes for employees.

As I announced in my budget speech, the Government wants high earners availing of tax incentive schemes to contribute more in the current difficult economic circumstances. Therefore, I am abolishing, with effect from tax year 2010, the loss relief available to owners of significant buildings and gardens who are passive investors. Details of the changes are set out in section 20 along with some transitional arrangements.

The effective income tax rate paid by persons subject to the restriction of reliefs or horizontal measure is increased from 20% to 30% in section 22. I regard this provision as an important move in ensuring all parts of society play their part in addressing the difficulties facing the public finances. The windfall tax, a special rate of 80% capital gains tax, which was introduced as part of the NAMA legislation, is amended by section 24. The provision will ensure that material contraventions involving a rezoning are covered by the tax. The amendment also ensures that the sale of once-off sites below an acre in size and €250,000 in value are not subject to the windfall tax.

Section 25 provides for the termination of the scheme of capital allowances in respect of child care buildings. The scheme, which was previously open-ended, now has a termination date of 30 September 2010, unless certain qualifying conditions are met. This measure is in line with the termination of other capital allowance schemes in the Finance Act 2009. The abolition was also recommended by the Commission on Taxation.

Enhancing the attractiveness of Ireland as a location from which to conduct international business is an important theme of the legislation. The tax treatment applying to the new management company passport regime introduced by the European legislation, the UCITS IV directive, is clarified in section 27. The section also exempts investment undertakings from the requirement to obtain and maintain declarations of non-Irish tax resident unit-holders where the investment fund in question is not marketed in Ireland to address the disproportionate administrative burden this places on industry.

Under section 28, an existing provision which removes the charge to Irish tax on the profits of a trade exercised in the State where it is exercised through an independent Irish resident agent in certain cases is being extended to include companies authorised under the European UCITS legislation.

Finally, section 29 removes the requirement for non-resident companies receiving dividends from Irish resident companies to provide a tax residence and-or auditor's certificate to obtain exemption from dividend withholding tax, DWT, at source. Instead, a self-assessment system will apply.

The legislation on deposit interest retention tax, DIRT, is amended by section 33 in a number of respects. First, it removes personal retirement savings accounts, PRSAs, from the scope of the DIRT regime. Second, it requires a relevant deposit taker to obtain the tax reference number of a person making a specified deposit; this will facilitate the introduction of the national solidarity bond announced in the budget speech. Third, financial institutions will make accelerated payments of DIRT tax to the Exchequer. Finally, financial institutions must automatically issue statements setting out the amount of DIRT deducted rather than on request as at present.

As a Government we must ensure that, in the face of a growing competitive threat from new emerging markets and the aggressive marketing of established centres, the Irish Financial Services Centre remains competitive in all areas. That is why section 35 of the Bill contains provisions which will help us to attract our share of the growing market of Islamic finance. In 2007, Islamic finance was estimated to be worth approximately US \$700 billion and is estimated to be growing at approximately 10% per annum. The measures in the Bill will provide level playing fields for all commercial financial product providers to ensure the tax benefits that accrue to conventional financial products are also available to Shari'a compliant products.

These changes are a first step towards providing equality of treatment to Shari'a compliant financial products. I intend to work with the Muslim community, the banks and interested parties to investigate the market for Shari'a compliant retail products in the context of future finance Bills.

Ireland's existing, but limited, arm's length pricing rules for manufacturing cease at the end of this year with the ending of manufacturing relief. The opportunity is now being taken to introduce general transfer pricing legislation in section 38. This will cover arm's length trading between associated enterprises for cross-border and domestic transactions, but small and medium enterprises are excluded. The provisions will align Ireland's tax code in this area with international norms, namely, the OECD transfer pricing guidelines.

A number of significant enhancements are being made to the scheme of tax relief for the provision of intangible assets introduced last year. The amendments in section 39 include additions to the list of specified intangible assets that can qualify under the scheme and a reduction in the period from 15 to ten years over which the assets must be held to avoid a clawback of the relief. The aim of these amendments is to increase the effectiveness of the scheme and to enhance its ability to attract international business to Ireland. Section 40 extends from seven to ten the categories of energy-efficient equipment eligible for the existing accelerated capital allowance scheme. The new categories included in this scheme are refrigeration and cooling systems, electro-mechanical systems, and catering and hospitality equipment.

My budget speech included an extension of the existing scheme allowing start-up companies three years' relief from corporation tax. Section 41 gives effect to this announcement by including companies commencing to trade in 2010. It is important that the annual Bill includes measures which ensure that Ireland can continue to attract internationally traded services. Three consecutive sections — 42, 43 and 44 — are aimed at this objective. Unilateral credit relief, in respect of royalty flows from residents in non-treaty countries, is extended to all trading companies. This relief, currently available to companies entitled to the 10% corporation tax manufacturing regime, expires at the end of 2010. The measure extends the relief beyond that date and to all trading companies. Unused credits in respect of foreign tax on branch

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profits will be permitted to be carried forward and credited against corporation tax in succeeding accounting periods. Finally, section 44 permits a company to carry forward excess losses of a foreign branch that were disregarded under section 847 of the Taxes Consolidation Act 1997.

Changes are proposed in section 46 to the current tax treatment of dividends received by companies here. The amendments involve charging tax at 12.5% instead of 25% on foreign dividends paid out of trading profits from countries with whom Ireland does not have a tax treaty; simplifying the arrangements under which foreign dividends are treated as sourced from trading or non-trading profits; and providing tax exemption to foreign dividends forming trading income received by portfolio investors, that is, companies with a holding or voting rights of less than 5%. I am confident that measures such as this will improve the international business environment here and help to encourage the creation of high quality employment in the economy.

Section 50 contains a number of changes to the existing research and development tax credit scheme. The main change deals with a position where a company or company group is carrying out research and development activities in different facilities in separate geographical locations and the activities in one of those facilities is permanently discontinued. Section 52 makes two amendments relating to the date of disposal and acquisition of an asset. The first amendment avoids a position where a person disposing of land under a compulsory purchase order could have been due to pay the liability before receiving compensation for the land. The second amendment ensures that the proceeds from a compulsory purchase order are liable to capital gains tax where the individual making the disposal dies before receiving the consideration.

I am aware that there has been some concern among farming organisations that the date of the disposal of lands for a CPO, rather than the date when the compensation was received, should determine the rate of tax applicable to the disposal. I am pleased to inform the House that the Revenue Commissioners have confirmed that the rate of tax which will apply to land acquired under a CPO is the rate when the land is disposed of, which in most cases will be the date when the acquiring authority enters on the land.

Part 2 of the Bill deals with customs and excise.

The legislation for the introduction of a carbon tax and for the consequential necessary legislative changes arising from this tax are set out in sections 60 to 83, inclusive. Section 84 confirms the budget day announcements reducing the rates of alcohol products tax. Sections 85 to 88, inclusive, provide for the updating of excise law provisions to reflect new European legislation on excises including the new computerised excise movement control system. Sections 89 to 96, inclusive, change the penalties applicable to certain offences under excise and custom law, increasing substantially the fines which a court may impose on persons convicted of such offences on indictment. Included here is section 92, which places on a clear legal footing the arrangements under which Customs can obtain information in respect of goods and passengers in advance of their arrival.

Vehicle registration tax, VRT, issues are dealt with in sections 97 to 106, inclusive, including, in addition to the VRT items to which I already referred, the introduction from 1 January 2011 of a revised classification system for the registration of vehicles in the State to reflect the broader European classification system. There will be the introduction of a new requirement for vehicle insurers to inform Revenue where they issue a policy to a foreign-registered vehicle for a period in excess of 42 days. This will provide a further tool to tackle VRT evasion by State residents who fail to re-register and pay the appropriate VRT on vehicles purchased outside the State. Sections 102 and 103 confirm budget day announcements introducing a

scrappage scheme, extending until 31 December 2012 the existing VRT exemption for electric vehicles and the existing VRT relief of up to €2,500 for plug-in hybrid electric vehicles.

Part 3 deals with, value-added tax, VAT. Sections 107 to 126, inclusive, set out a range of changes to VAT including, as announced in the budget, the reduction in the standard VAT rate by 0.5% to 21% with effect from 1 January 2010; the application of VAT to services provided by public bodies including local authorities; the introduction of a margin scheme for second-hand means of transport and agricultural machinery; and changes to the VAT treatment of telephone cards and prepaid top-ups for mobile telephones. Sections 124 to 126, inclusive, make amendments to the Value-Added Tax Act to facilitate the introduction of a VAT consolidation Bill later this year.

Part 4 deals with stamp duties. Section 128 allows for the exchange of data between the Revenue Commissioners and the Property Registration Authority in a new e-stamping regime. A relief from stamp duty will be provided under section 131 to facilitate fund mergers enabling the re-organisation of funds into structures now permitted under recent European UCITS IV legislation. The levy on certain life assurance premiums will be amended by section 132 to exclude pensions and re-insurance business. The payment date for the levy will also be brought forward.

Part 5 deals with capital acquisitions tax, CAT. Provisions relating to a wide-ranging package modernising CAT are covered in section 139, the full details of which are outlined in the explanatory memorandum. Delivered on an Exchequer-neutral basis, the changes will deliver significant benefits to customers and their agents including the elimination of up to 75% of the current quantum of CAT documentation combined with the use of faster, simpler and more straightforward processes.

Part 6 covers miscellaneous provisions. Section 141 gives legislative effect to the domicile levy announced in the Budget Statement in which I highlighted the importance of improving the effectiveness of the Revenue Commissioners in addressing the challenges facing the collection of taxes including dealing with tax avoidance. The Bill contains several relating measures which aim to achieve this objective. Section 143 will enable information to be given to Revenue by the Taxi Regulator about persons operating and licensed in the taxi and hackney sectors. Section 144 will enable Revenue to apply to the Appeal Commissioners for consent to issue a notice to obtain information from third parties regarding a class of persons on the same basis as they have for financial institutions. Revenue will be able to secure information from NAMA on offshore vehicles under the provisions of section 145. Where summonses and other such notices are returned unserved by the Garda, Revenue will have the authority under section 146 to serve them. Section 147 adds to the list of taxes and duties which must be paid before a tax clearance certificate can be issued. Only taxes within the control of the taxpayer are included, such as the income levy and excise and customs duties.

Double taxation treaties are widely regarded as critical pieces of fiscal infrastructure for developing substantial bilateral trading and investment opportunities by reducing tax impediments that might otherwise deter cross-border activity. Since 2007 we have grown our network of tax treaties from 44 to 56. The provision in section 149 is the final step in the ratification process for new treaties with Bahrain, Belarus, Bosnia-Herzegovina, Moldova, Georgia and Serbia. Section 149 provides for the ratification of eight tax information exchange agreements with Gibraltar, Guernsey, Jersey, Turks and Caicos Islands, Anguilla, Bermuda, Cayman Islands and Liechtenstein. Section 152 provides for the introduction of a statutory scheme providing for voluntary deductions from members of the Judiciary to cover pension-related deductions.

[Deputy Brian Lenihan.]

At this stage there are still a small number of matters under consideration for inclusion in the Finance Bill that I may bring forward on Committee Stage. I will, of course, also give consideration to any constructive suggestions put forward during our debate today and tomorrow.

Deputy Richard Bruton: The economy faces its most serious threat ever. In the past 18 months we have lost 200,000 jobs, of which 90% were those of persons under the age of 30 years. They are the people to whom we look to create the dynamism for a knowledge economy and new enterprises for the future, the building bricks of our future economic success. We cannot afford, through the lack of Government ambition, to allow them to be faced with the bleak spectacle of unemployment or emigration. Unfortunately, that is what has already happened. They are the cream of our people who must be helped find opportunities. However, there must be far greater ambition than is displayed in this Finance Bill if we are to confront this huge underlying problem.

The Minister does not seem to appreciate the real danger that we will enter into a vicious cycle of cuts being undermined by rising interest rates and unemployment payments. This year the Minister admitted that of the €4 billion cuts he imposed, half will be whittled away by additional interest payments and the other half by the need to pay for the 75,000 jobs that he predicts will be lost in the next 12 months. That puts the economy in a vice-grip. It is as if we are running hard just to stand still. Last year, it was huge tax increases; this year, cuts in public service pay. We are asking people to make large sacrifices without the bigger picture of a strategy as to how we are going to get out of the hole in which we are.

My fundamental problem with the budget is that it lacks the ambition and a strategy in which people can believe. One key concern is that confidence is shot through in our community. John Maynard Keynes, an economist who has become fashionable again, once said, "If enterprise is afoot, wealth accumulates whatever may be happening to thrift; and if enterprise is asleep, wealth decays, whatever thrift may be doing". Our problem is everyone in our economy is caught in this move to thrift, this need to pull in their horns, to reduce their ambitions. That has a large knock-on effect on the rest of the economy.

We needed from this Finance Bill and budget something that would give people confidence and that it is time to think more positively. It needed to assure people to start getting money together for an investment project or spend on items they have postponed. That is part of the ingredient of a recovery that we have to envisage.

Fine Gael recognised this early on and put forward significant proposals, even in the taxation area, to address this. We wanted to cut employer's PRSI contributions, particularly at the low-wage level. We wanted the airport tax removed to strike a deal with airlines to bring more passengers into Ireland to kick-start to the tourism sector. We wanted to have a once-off cut in low-rate, labour-intensive VAT rates to assure people not to postpone labour intensive decisions such as house repairs. That is the sort of confidence building that is needed.

While I welcome the Minister's commitment to a national solidarity bond, I miss the context in which it will be launched. Fine Gael, by contrast, has been very clear. We believe the public utilities, assets owned by the people, provide a platform for a tremendous economic revival. This is the time to say we do not need an electricity network that is bottom of the class in Europe, the most high cost, the most dependent on fossil fuels and the least developed in terms of renewable energy. Instead, this is the time to say we can build a platform for success if we build a smart grid fit for the 21st century. Similarly, this is not the time to content ourselves with broadband speeds and capacity that are perhaps 5% of best practice. This is the time to say, yes, we can develop those assets that we own to provide a platform for the growth of the

knowledge economy. This is not the time to tolerate €500 million in water going down into the ground without ever reaching a household, a family or a business because of leaks and under investment in the water network. This is the time to say, we can do something with these State assets.

This takes some courage. It takes the willingness to say we can afford to let some assets go now, for example, we can afford to sell our generation capacity that is not mission critical to the recovery of Ireland. We can provide equity for this sort of investment and then one will have a State equity or holding company and the opportunity to start raise money from private pension funds and from private individuals. Then one will start to see a strategy in which the Government is saying it wants a platform of smart grids, smart broadband, a well-resourced water authority that can start to drive, both investment now and successful enterprises for the future. That is the key element missing here. There is no ambition. There is no understanding of the central employment crisis that we face.

It reflects also a lack of ambition in the recent budget to do anything with the public service itself to set an agenda of change. To give the Minister his due, he put in place the McCarthy process which churned up the ground for the first time and which stated we need to consolidate and to change our high-cost system. We cannot afford to be replicating grant-giving powers, administration structures, HR structures and finance structures in 850 different agencies. We simply cannot afford that anymore. We must develop the concept of centralised shared services where these agencies are obliged to source, which can be done so much more cheaply. We needed to see in the budget the kick-start of that exciting reform agenda. Instead, the Minister has set back that reform agenda by the sort of brinksmanship that went on with the social partners at the end.

There still is no ambition. I still have not seen the Government, either through the Minister or any of the other Departments, confirm it is taking up the McCarthy agenda, not the social welfare cuts which were taken up but the more difficult heavy lifting of cutting out quangos, closing down agencies, establishing shared services centres, forcing the knock-on changes and contemplating the need for redundancies.

The Minister needs to create the momentum for change. That is what this country is crying out for. People know this will be painful and it will not be pleasant, but they also know that we must go through that. Dr. Craig Barrett stated yesterday there are now 3 billion new capitalists out there. Some 3 billion people from China, India and Eastern Europe who, in our heyday ten years ago when we had a successful economy, were not players. Ireland could be very successful doing what we had and we could be quite smug in our success. People wanted to get into the bastion of Europe, for example, American companies wanted to get inside the walls and trade in Europe. Now that world is changed. On the model on which we built our success, we must realise that we face a much tougher and more competitive environment and the Minister must give people a sense that there is a purpose and a mission here.

I do not pretend for one minute it will not be tough. Effectively, we will have to mimic a devaluation of our currency. We will have to drive down costs across the board, not only public service pay costs but business rents, boardroom pay and the rip-off that has scarred this country. It must go right through the structure. It must be in public utilities and in the charges for which the Minister and his colleagues are responsible. Then we will start to hear people saying that there is a strategy here and that the Government is not just about hitting the little people; it is about doing something that is fair across the board. Later this evening the House will discuss exempting high-paid public servants from the impact of this, which is the wrong signal at a time when we are trying to achieve the change.

[Deputy Richard Bruton.]

We now need big ambition from Government. There are tough measures to take but the big ambition, hope and belief is essential to getting through these difficult times. Instead, there is merely a tidying-up exercise in the Finance Bill. It falls so far short of motivating anyone to put his hand in his pocket to invest or to do something new to build confidence.

The Minister did not bring forward the ideas of his Commission on Taxation on its narrow range of proposals. It had interesting ideas. Its members wanted to help the unemployed get retraining and this was an area of tax relief that they proposed. That would start to give some people the opportunity to say that here is something coming back from the taxes they paid all those years.

They suggested that research and development which is supposed to be part of the feed into a knowledge economy should become allowable, not only against corporate tax but against pay related social insurance, and that such would bring a wider range of companies into thinking about research and development and about investing in the products of the future. That did not figure either. We do not see any such extension of the research and development credit.

They recommended to us that we should support not just start-up companies but sole traders, giving the sort of break that last year the Minister gave to companies. There are many people per force of circumstance considering starting up businesses. Why not give them the same break the Minister offered to companies?

Some of the commission's recommendations for some reason were ignored while the Minister sought others, which are not anything like as significant or which do not make an impact. I thank the Minister for the brief from his officials, but the bottom line was that all of these proposals put together would cost nothing. One cannot achieve a great deal of stimulus with something that costs nothing, and that is a problem here. This was a tidying-up exercise, with a little given there and a little taken back here. There was no attempt to say it is time to give people a leg up and a bit of confidence.

The Minister's non-domicile tax proposal is about as watertight as the string bag we, as kids, used to carry down to the shops in which one could not bring anything liquid back because it would gush out. I note comics such as "The Beano" are being revived and perhaps it could do a job on the Minister's non-domicile tax. The exemption is ridiculous. There is an escape hatch therein that is ridiculously wide. One must have Irish-located capital, excluding shares held in any company which carries on a trade, greater than €5 million. One would be caught only if one's private residence is worth over €5 million. It would not cost such a person much thought to transfer his or her stately home to his or her spouse, and suddenly with one bound this need not be paid. It is no surprise we got no estimate as to what this will raise. This will only get payments from persons who want to be seen to pay something. Maybe there are a few public-spirited people who would recognise that they ought to be paying something, but I just cannot see it working as a tax to put pressure on those who have been avoiding paying tax. The Minister would not find any of the new income levels he introduced last year having the sort of escape hatches for ordinary persons that are being built into this new tax.

The one measure people will see in this — it is no surprise that it was the headline that jumped out at everyone — is the application of VAT. The only notable measure, or one which one can get one's head around, is that the Minister has decided to extend VAT to a range of public services. He tells us that this is brought upon us by EU decisions but we are probably talking about €200 or €300 a year that will have to be stumped up by those affected, much of which will come from those who are on their knees and struggling.

This Finance Bill has followed its predecessor in the budget. It lacked the ambition needed for this very difficult time. We must take a tough approach to our public finances, implement

cost-cutting across the board in the private and public sectors and become fit, lean and mean again. However, it had to have the other side. It had to show the State was willing to match with commitment and imagination the opportunities we have. We still have opportunities open to us. The successes that created the Celtic tiger, the enterprise that built up strong sectors, still exists and needs to be nurtured and encouraged. I am disappointed it has fallen short.

I refer to the extension of carbon tax to coal and peat. There seems to be a huge problem in terms of trade from Northern Ireland in these products. I understand that, effectively, no system has been developed by the Minister or by anyone else on how to keep out much dirtier higher carbon content coal coming from the North VAT-free. In regard to this tax proposal for which the Minister is now taking enabling powers, although he is at least holding his hand in terms of the date of implementation, I do not see the corresponding enabling power on how he will police this and make it something which is not unfair to people trading in this space. Worse still, people will be bringing in more environmentally negative product to be used here. I do not see the solution that one needs. This tax needs a corresponding solution on the enforcement and compliance side to match it.

Not to be entirely negative, I welcome the Minister's decision in regard to mortgage interest relief. An extension for people who would otherwise have seen their mortgage interest relief disappear this year is welcome because many of those people borrowed in 2004 and in the following years and have been put to the pin of their collars. They paid at the top of the market and I welcome the relief for them.

I welcome a relief we discussed last year, namely, a break for people in the farming community who are trying to comply with the Nitrates Directive. Ignoring that as if it were part of their basic income and taxing them on it was very unfair.

I also welcome some of the decisions the Minister made to bring greater clarity to, and to open up, opportunities in the financial services sector which I hope are successful. At a time when the financial services sector has taken a hammering, people are encouraged to see there is still optimism and initiative. For example, people are looking at supporting green finance as a genuine opportunity to develop for Ireland. This is a growth sector — managing funds that want to concentrate on environmentally sound areas and supporting the markets in carbon trading. Ireland has developed back office skills. There is opportunity in these areas. These are sectors in which we need to sweat those opportunities. While we seek to rebuild our regulatory structure and to restore confidence, we must match that with a willingness to spot opportunity and to play to our strengths in key sectors. We still have key sectors and these must be the drivers of our long-term growth prospects.

I listened to Deputy Gilmore earlier when he asked questions about the smart economy document which has become a bit of an embarrassment to the Government. If it is serious about the smart economy document, it must have dates which must be driven. Commitments set out must be honoured and someone must have the sole authority to drive it and give us a sense that the Government is hitting milestones. People do not believe that is happening.

People viewed that document on the knowledge economy as putting a big bulldog clip around everything and saying this was our smart economy strategy. If it is a strategy, there must be deadlines, milestones and someone must be responsible for delivering them and if he or she fails, he or she must be accountable for failing. Deputy Gilmore put his finger on this and stated that there are milestones in the knowledge economy document and no one is paying any heed to what was said or what was to be delivered.

That goes to the core of why we are not succeeding on big strategy statements. Why did we not deliver on our climate change strategy after eight years? The reason is no one is put in a responsible position and no one is given authority or the budget and if things go wrong, no one

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is held responsible. We must move on that. If we are to believe the smart economy document is anything more than a cover for the Government's nakedness, we must see someone drive it, take responsibility and hit those deadlines. However, we have not seen that.

I look forward to Committee Stage which is always an opportunity to learn more about the individual proposals and to tease out the difficult aspects of tax law. I cannot say I always look forward to it with relish. It is a period in the dungeons when the only advantage is that the fourth estate is rarely there to disturb us. I look forward to engaging with the Minister, his colleague or whoever will handle the various aspects of the legislation.

Deputy Brian Lenihan: I will be there.

Deputy Richard Bruton: With those few words, I reiterate my disappointment in the Bill but look forward to working on it on Committee Stage.

Deputy Joan Burton: This year's Finance Bill is a product of a Government which has run out of ideas about how to restore the economy, get people back to work, get business moving or get credit flowing from the banks. This Finance Bill, which should mark a turning point in our economic fortunes, is devoid of any real economic plan. The Government remains locked in denial about the failure of its banking strategy, in particular in respect of NAMA to get credit flowing to businesses and individuals.

Jobs are being lost at the rate of 100 every day. Just today, 750 job losses were announced by Bank of Scotland Ireland which is closing down its Irish retail banking operation. I understand it has put forward proposals to the Minister and I would be interested to hear if he has had the opportunity to examine the proposals it has put forward to salvage at least some of the jobs in that company. Yesterday there were 175 job losses in Galway.

As unemployment crept to more than 435,000, 60,000 people also emigrated. However, Fianna Fáil keeps repeating its mantras that we have turned the corner, that we are on the road to recovery and that the economy has stabilised. Economists around the world have warned of the risks of repeating the mistakes made by the Hoover administration in the USA during the Great Depression, yet this Government seems more intent on following the lead of Hoover rather than Roosevelt.

While the Government has focused almost exclusively on the banks and its deeply flawed NAMA plan, the real economy of indigenous jobs and businesses continues to take a hammering of historic proportions. The Government seems to have a strategy that wage cuts as a substitute for deflation is the only recipe it has to offer. It made €4 billion in cuts in this budget. The parties in Opposition, to support the country's international reputation, loyally gave the Government space to do that. However, the Government has said this is just the first of three such massive reductions. Although we gave the Government that space, nothing has been done by it in regard to job retention or job creation.

Once again the Finance Bill has little or nothing to offer in the way of a jobs stimulus or confident return to growth. Once again, the centre piece of the Bill is a series of new tax exemptions for the IFSC, which have been neither costed nor set out in detail, as was promised consequent to tax scandal after tax scandal. The Government is saying the same thing, namely, "Trust us, and here is a whole bag of tax exemptions and tax reliefs which we will not explain, cost or set out in detail". To hear the Taoiseach speak, one would think global finance and offshore banking is to be to the recovery in Ireland what the property bubble was to growth during the Celtic tiger. He is seriously misled in that respect.

Last night I attended a lecture given by Dr. Craig Barrett on the importance of investing in education, science, research and development. It was interesting to note that Dr. Barrett, who is the former chairman of Intel, said that we in this country had to move from being average to being excellent. He said we went around the world boasting that we were in the top percentage of income, but if one examines our performance in critical areas such as education in mathematic and science one will find that instead of our performance being excellent, as our income levels would dictate, the Government has brought us down to a miserable average in a country which is famous around the world for its commitment to education. The Government, over its years in office, has reduced us to being average and not excellent in one of the areas in which Ireland has shone historically, in terms of its commitment to education and a whole generation of people who excelled in education, research and the sciences.

Dr. Barrett last night warned that the future lies in indigenous start-ups, using smart people and ideas and, above all, an environment conducive to innovation. What is this Government offering? It is offering massive support to the banks and very considered support to off-shore banking. What is in the Finance Bill for indigenous start-ups? What is in it for the thousands of those with PhDs who were coaxed back to Ireland by various scientific and research programmes, many of whom are in their 30s with young families, who bought houses at the height of the boom and who now, in many cases, will leave Ireland? When such people leave Ireland this time they will not return again. They can be burned once but not twice by this Government. That is the real loss caused by the kind of fumbling this Government has done regarding economic strategy and policy.

Dr. Barrett also said Ireland can no longer depend on inward flows of foreign direct investment. He is the former chairman of Intel, which carries out a rigorous procedure regarding the location of future investments on a ten to 15 year cycle. It was a clear and present warning from somebody who is a world expert on Intel locating in Israel versus Ireland versus Costa Rica and all of the different countries which are competing. He said there was a time when, on the 20 or so headings used by Intel, we were competitive on almost all of them, but we are now only competitive on the tax rate unless we decide to go back to growing the smart economy.

The Government seems to be all at sea on this matter. It does not seem to have any scientists, mathematicians or economists in its number who could come to grips with what the dilemma facing this country is. It has pseudo solutions which will not do very much for many people in this country.

For many ordinary families and businesses this Finance Bill means they will face additional charges on VAT, as it is applied by the Minister to a range of local authority services. He proposes to extend VAT charges, on foot of court judgments and European Union decisions, on services supplied by public bodies, including county councils, such as waste collection, recycling, off-street parking, toll roads and the operation of leisure facilities. Depending on the VAT rate charged for equivalent private services, local authority services will now attract a VAT rate of between 13.5% and 21%. This is a double whammy, in terms of service charges such as waste collection for ordinary families because the Bill will abolish income tax relief on those charges from next year.

In the December budget the Minister told us high earners must pay their fair share — it was one of the headings in his Budget Statement. However, as Minister he has side-stepped many of the reforms proposed by the Commission on Taxation, in terms of restricting tax avoidance measures used by the super rich to minimise their tax bills. For example, he has done nothing to curtail tax relief on investments in private hospitals which are now, in many cases, surplus capacity to what the country needs or can afford. He has not restricted mega pension pots.

Deputy Brian Lenihan: It was abolished last year.

Deputy Joan Burton: The tax relief on private hospitals was not abolished. It is like the tax relief which is proposed to be abolished regarding child care facilities. They all have end dates which, under qualifying conditions, can be extended. They carry a very long tail life in the tax system of a further 15 years. The Minister should not try to lecture me about what I know is in the tax code. The Department of Finance might not know but Revenue Commissioners know what is in the tax code and, according to the answer from the Minister's officials, the measures to which I refer cost us at least €400 million per year. At the height of the Celtic tiger we may have been able to afford that but €400 million is a lot of money now.

Fianna Fáil launched NAMA to a series of refrains, such as "There is no alternative", or "TINA", "The only game in town", or "TOGIT", and, most importantly, we were told it would get credit flowing. The revelations yesterday by Mr. Simon Carswell in *The Irish Times* that the IMF told the Minister for Finance that NAMA would not lead to a significant increase in lending by the Irish banks and that the IMF was encourage to refrain from making public its estimates of likely losses from the banking crisis indicate that the Government has consciously set out to mislead the House about the consequences of the NAMA project. When the Minister for Finance spoke at the launch of the debate on the NAMA legislation he said, "NAMA will strengthen and improve the funding position of the banks so that they can lend to viable businesses and households". The Taoiseach said the Government's objective in restructuring the banks was to generate more access to credit for Irish business at this crucial time.

At the same time the Minister was claiming the endorsement of the IMF in the House, it is now evident that it told the Minister in private that NAMA would not get credit flowing. He argued over and over again that the consequence of NAMA would be that a wall of money would come and flow again like blood through the veins of small and medium-sized Irish businesses. That is the scenario he painted for us and it has not happened. If the Minister asks any business people walking around on their uppers outside whether they are finding it easy to get credit from the banks they will tell him what the story is. He should ask many people, including low paid public servants who are currently trying to juggle their credit arrangements if they can be facilitated by the banks even though they have a permanent job, even at a reduced rate. He will find the banks will not reach accommodations with people which are reasonable unless they go through a lengthy procedure such as MABS, where they may wait for months to start to be able to address the complexity of their financial situation.

The comments quoted in *The Irish Times* yesterday were made by a senior IMF official, Mr. Steven Seelig. He has been appointed by the Minister, Deputy Lenihan, to join the board of NAMA in May. A serious element in yesterday's article concerns the fact that a statement is attributed to the senior departmental official in charge of banking in the Minister's Department which warned against making public any official estimate for the losses faced by the banks, saying that the Department had not made this information public. The official is quoted as saying, "We naturally shared with the IMF team our informal views on the range of possibilities but would be uneasy about seeing these formalised". It is a deeply disturbing revelation that both Government and at least some senior public officials in this country appear to hold the Dáil and the voters we represent in some contempt. If taxpayers around the country are to bear the losses of the collapse of the banking bubble and fiasco, the least taxpayers and their representatives deserve to be told is the truth. It is extremely disturbing too to find a publication of information which suggests that the said information was to be kept at all costs from this House and from taxpayers.

NAMA is an €80 billion project that was sold to the public on the premise that once the banks had been relieved of their distressed assets they would be ready to start lending again.

The scenario the Minister painted is simply not the case. NAMA was designed as a bailout by Fianna Fáil for its friends in the banks and, particularly, for its friends, the developers. By acting——

Deputy Brian Lenihan: That is defamatory.

Deputy Joan Burton: ——in such a partisan way and playing politics with the crisis in the banking system, the Government has left small and medium-sized enterprises out on a limb, hanging on by their fingernails for the flow of credit NAMA simply has not generated——

Deputy Arthur Morgan: Exactly.

Deputy Joan Burton: ——and for which there probably is no hope of generation before the end of this year.

Deputy Arthur Morgan: We were misled.

Deputy Joan Burton: I go around the country, as does the Minister. I have met people from all kinds of businesses and walks of life and they cannot all be lying. Most of them are frank about mistakes they made and expectations that rose too high. They are very realistic but they cannot get money from the banks.

Deputy Brian Lenihan: Is the Deputy suggesting the banks should lend at the rate they were lending?

Deputy Joan Burton: I suggest the Minister delivers on his promise that when he got NAMA through the Dáil, the flow of credit would resume. He was told differently by the IMF——

Deputy Brian Lenihan: The loans have not transferred yet. We were not told differently by the IMF. I am sorry but the Deputy is not correct.

Deputy Joan Burton: The Minister's officials obviously knew differently and the Minister decided to keep this House and the taxpayers of Ireland in the dark because, as usual, Fianna Fáil thinks the rest of us are mushrooms that benefit from being kept in the dark. That is what the Minister wants to do — to treat the taxpayers of Ireland like mushrooms. If they are kept in the dark, they will be happy and leave the Government alone.

By acting with NAMA in such a partisan way, playing politics, the Minister has damaged the economy and the hope of recovery of live and viable indigenous businesses, of the kind Dr. Barrett spoke about. The Minister has damaged their prospects immeasurably. These are matters that ought to be made the subject of an inquiry, along with statements by the Minister for Finance and the Taoiseach in the House.

I note that the terms of reference of the Minister's inquiry specifically rule out material such as the IMF discussions and advice in respect of NAMA because he stopped the inquiry's remit from the beginning of September 2008. Fianna Fáil is so clever. Even when we have a so-called banking inquiry, it will not be empowered to examine these extraordinary revelations. They are truly extraordinary——

Deputy Brian Lenihan: There are no revelations. What revelations does the Deputy mean?

Deputy Joan Burton: There was the freedom of information material. I ask the Minister to consider that. Sometimes he is too much the senior counsel who can sell something clever without actually understanding what it is about. Irish businesses are dying on the street because

[Deputy Joan Burton.]

of what he has done, what Fianna Fáil did with regard to the property bubble and to NAMA and——

Deputy Brian Lenihan: The Deputy would have let the banks collapse in 2008.

Deputy Joan Burton: ——and what the Minister did at the time of the bank guarantee. Irish households and small businesses are in the grip of a credit famine. Businesses are struggling to get their hands on the money needed to keep paying wages and suppliers. Families looking for a mortgage to set up a home now that houses are more affordable are finding the banks will simply not lend. The banks' reluctance to lend was confirmed in today's survey conducted by the Professional Insurance Brokers Association, just as by the many people who were in contact with me during the past year. NAMA was a €54 billion gamble that was supposed to turn on the tap of free flowing credit. I told the Minister at the time that it would never work. Clearly, the IMF told him at the time that it would not get a flow of credit going again. NAMA will not get credit flowing but Irish taxpayers are still expected to take on a supersized risk. It is time for the Government finally to face up to this reality.

I wish to refer to a related matter. Perhaps the Minister might confirm, during discussions on the Bill, that significant difficulty has arisen with NAMA in respect of the lack of proper title held by developers for properties used as collateral for the loans advanced by the banks. Ironically, stamp duty avoidance by developers, which was common at the height of the boom, resulted in many developers using licensing arrangements. Does the Minister remember all those schools in our constituency where sites were sold at ransom prices by Fianna Fáil developers to the Department of Education and Science? Does he remember all the licensing agreements? We are talking about mega-avoidance of stamp duty.

As a consequence, title was not passed on completely or comprehensively. In 2006, I raised the issue of property developers avoiding the payment of stamp duty by not taking proper title of the property under development and developing it under a licensing arrangement. The loophole was estimated to have cost €251 million in 2006. It was not chickenfeed. The estimated loss to the Exchequer was €36 million resulting from the Irish Glass Bottle site deal alone. Mr. Bernard McNamara and the other co-investors were the chief beneficiaries of that piece of tax avoidance. Time and again, I raised this issue with the Minister's predecessor, now Taoiseach, Deputy Brian Cowen. In 2007, he appeared to relent, inserting section 110 into the Finance Bill of that year. With this section on the Statute Book the loophole should have been closed but the Taoiseach, Deputy Cowen, caved in to pressure from the denizens of the Galway tent. He never signed the commencement order for section 110 which, to this day, remains in abeyance.

Deputy Arthur Morgan: That is right.

Deputy Joan Burton: With the stroke of a pen the taxpayer would have been in for a bounty of tens if not hundreds of millions from the period after the tax loophole was closed down.

This is not stupid. If the Minister knew anything about tax, this is one of the most famous cases of tax avoidance during the height of the Celtic tiger. The Minister's predecessor, the Taoiseach, Deputy Cowen, commissioned a special study by a firm of stockbrokers which came up with the figure of €252 million in cost for one year alone. This is not something I researched on my own but is a matter I pursued in the House month after month for several years.

A few hundred million euro might be a drop in the ocean when it comes to closing a €20 billion deficit but it would keep special needs assistants in our children's classes or would restore the traditional Christmas welfare payment. It is highly ironic that the Taoiseach's and

Fianna Fáil's decision not to close the loophole has come back to bite the ordinary taxpayers yet again as this and other tax loopholes now frustrate the operations of NAMA, the passage of loans and underlying properties and titles. The Minister must make a clear and honest statement to the House on this matter.

Sections 55 and 56 of the Finance Bill are anti-avoidance measures to target what is described, properly, as aggressive capital gains tax avoidance schemes where no real economic loss has occurred. Much as I hate to say to the Minister that I told him so, I could not help but notice the banner headline in the *Sunday Business Post* last weekend. This tax loophole cost the Exchequer €400 million in lost revenue. The Department of Finance seems to have realised that investors were exploiting weaknesses in Irish law to generate fictitious losses against which they could set off actual capital gains from their investments in shares, property and other assets. This complex manoeuvre involved the creation of back to back derivative contracts linked to the value of Irish Government bonds. As the gain and the loss cancelled each other out, there was no net loss. The gain was not taxable but the loss could be set off against gains on other investments.

These transactions have no legitimate rationale and were designed for the singular purpose of avoiding tax. With €400 million already down the Swanee as a result of this loophole, closing it in this Finance Bill is a case of shutting the stable door after the horse has bolted. Due to the fact that property and share prices have been sharply down over the past two years, there is now little need to manufacture fictitious losses to avoid paying capital gains tax. This loophole was closed off in the UK some years ago and was, therefore, well flagged to the tax authorities in Dublin. However, Fianna Fáil took no action to save ordinary taxpayers from being ripped off by people who specialise in helping very wealthy people to avoid tax, while taxes and levies on people on the lowest level of income are significantly increased by the Government. Few people are showing profits these days, as evidenced by each month's Exchequer returns. The question the Minister must answer is why he has waited until the loophole is largely defunct before closing it off. All loopholes are not treated in an equal manner. Not all have been closed off, only the ones that can no longer be used to avoid tax. Talk about a joke.

Following a long campaign by the Labour Party on the issue, the Minister has finally delivered a levy of €200,000 on tax exiles. However, it remains to be seen how many of the almost 6,000 tax exiles, as identified by the chairperson of the Revenue Commissioners when she appeared before the Committee of Public Accounts, will be affected by this. I have read the two pages of the Bill dealing with the definition of domicile. However, as an accountant, I suggest the section offers wide scope for the use of professional advisory services to mitigate its likely impact.

The introduction of tax structures to facilitate Sharia law-based lending is largely a measure designed to facilitate activities in the IFSC. This is one of a number of measures to make investing in the IFSC more attractive from a tax point of view. If the Minister is doing this, it behoves him to ensure adequate regulatory arrangements are in place, given the destruction of our reputation as a result of what happened in the case of Depfa Bank. It had a significant number of non-executive Irish directors on its board up to the time it was sold to Hypo Bank.

The episode concerning this particular bank and the losses it sustained caused tremendous damage to our reputation in Germany. These losses were subsequently incurred by German taxpayers and the German Government had to bail out the bank. With regard to the Minister's proposals for the IFSC, where are the corresponding regulatory arrangements that will ensure that what happened in the case of Depfa Bank, and subsequently Hypo Bank, which has been so damaging to our reputation, will not happen again? Is the Minister sending out or willing to

[Deputy Joan Burton.]

send out a broad signal that the IFSC is not specialising in some kind of tax avoidance, but that it wants to specialise in legitimate and lucrative financial services?

We should bear in mind that hedge funds and international financial institutions are involved in a major shorting exercise against the euro, in an effort to weaken it and many eurozone economies as a consequence. Therefore, we need to discuss how we will balance legitimate commercial advantage to draw businesses to Ireland against our regulatory reputation as not being a fly-by-night location or, as described by *The Wall Street Journal* some time ago, the wild west of international finance capital down on the Liffey. The Government has not yet addressed that issue.

Section 24 is the major Green Party input to the Bill. It provides that the windfall tax, introduced as part of the NAMA Act, will be extended from just rezoned land to cover land subject to material contraventions by a local authority. In almost all jurisdictions, an 80% tax is a joke. If people are subject to a significant tax rate of 80%, they are usually rich enough to be able to pay tax advisers to mitigate, if not totally avoid, the 80% rate. Given the state of the property market, this provision is purely notional. I am interested to know whether the Minister anticipates any tax flow from this measure. Hypothetical, punitive tax rates are a joke. This measure is a joke and is, obviously, the fig leaf for the Green Party in the Bill.

In contrast, the thorny issue of the significant tax losses being accumulated by banks and property developers as a result of the property crash, which they can set off against future tax liabilities, is not addressed at all in the Bill. In the debates on the previous Finance Act, on the budget and on several other occasions, the Minister promised he would address this issue.

Deputy Brian Lenihan: I addressed it in the NAMA legislation.

Deputy Joan Burton: No. The Minister has sought to ensure that some banks will pay a minimum amount of tax, but they will be entitled to set off their full losses, whatever way they value them, as will developers. Therefore, for many people in that situation, it may be 30 or 40 years before they every pay tax again, other than nominal amounts they choose to pay under the arrangement the Minister set out previously.

In contrast with administrations around the world, there are no proposals from the Minister to introduce tax curbs on the supersized remuneration packages of top executives or those working in financial services. Nowhere does the Bill contain measures to crack down on the dubious remuneration schemes that incentivise short-term risk taking or maximising lending. It is quite clear the Government has failed to learn from the mistakes of the past. Barack Obama and Gordon Brown are getting tough on bankers and speculators who are determined to carry on as if the financial crash never occurred. By contrast, this Finance Bill will introduce incentives for senior executives to trade Wall Street and the City of London for the banks of the Liffey. This is something that needs to be spelled out in some detail. What are the advantages to us and what are the costs? What are the implications for our reputation and for tax revenue?

Section 152 relates to the levy on judges and is structured in a way which provides that judges can make a donation to the Government. I repeat what I said before. Why does the Minister not legislate in this regard? He could then let the judges who object to being treated like their fellow citizens take a court case. There is nobody better to take a court case and they have done so in the past. If the Minister legislated, that would mean judges, as citizens, would be treated as all other citizens have been treated.

Deputy Michael Kennedy: It is good to see a Fine Gael Deputy in the Chair after two and a half years of this Government. Perhaps the past 24 hours have brought some little transform-

ation within the Fine Gael Party. Ironically, I just met the Chair's former colleague, George Lee, outside and wished him well. I never doubted the tenacity of Meath men and Deputy Richard Bruton to hold his own.

I am delighted to have the opportunity to speak on this important issue. Despite what we have heard from Deputy Joan Burton, there are many positive aspects to this Bill. I mention in particular the section on nursing home fees. Relief on fees is now allowable for bona fides nursing homes providing 24-hour care. I am aware from my constituency work that the Nursing Homes Support Scheme Act was welcomed. It is working extremely well and I doubt any Member of the Oireachtas would have a bad word to say with regard to its operation and the benefit it brings to ordinary people. I welcome the fact the Minister has gone even further in terms of this tax relief, because this is an issue that involves every family in the country. I also welcome the extension on mortgage interest relief up to 2017. For those couples who purchase, it will be of major benefit and it will also give a fillip to our flagging house building industry. I congratulate the Minister in this regard.

I welcome the increase in tax credits the Minister has given in regard to private health insurance premiums. As the levies have increased, the tax credits for which the Minister is providing are very welcome, particularly for those over 80 years of age.

I welcome the domicile levy of €200,000. I have no doubt that wealthy Irish people want to contribute to the Irish taxation system and to our country, particularly at a time when finances are a little strapped, to say the least. The proposed measure is certainly a step in the right direction.

I welcome the measure in regard to the disposal of family sites. The Acting Chairman will have dealt with the same issues with which I have dealt for my rural constituents in Dublin North. The measure applies to sites of less than an acre and valued at less than €250,000. Everybody in the country will welcome the change and recognise it as a necessity. Very often, families who own land are handing over sites to their children. It would be totally unfair to tax them, particularly at a time when they are experiencing financial difficulty. Well done to the Minister. The measure will be welcomed across the country.

Deputy Burton referred to the new financial services measure. The Minister's plans are welcome. If one analyses the Irish Financial Services Centre, one will find it has been an outstanding success, a huge employer and a development that has brought great credit to Ireland Inc. This is an area where we can grow our business and keep the Irish flag flying in the international sphere.

With regard to CPO lands, the Minister has proposed that, from 4 February, capital gains tax would be paid only when the seller of the land is in receipt of funds. The Acting Chairman will have had representations asking why people should be penalised up front, particularly in cases where they have not willingly sold their land and where the State authorities insist on buying. It was a double blow for people to find they could not get their money up front. At long last, we are recognising that unfairness. I congratulate the Minister in this regard.

To move to the issue of excise duty, I have received a number of representations from those wholesalers who were taken aback that the Minister had reduced duty because they had bought in huge quantities. They are suffering as a result, although I recognise it was a bad commercial decision and that, if the position were reversed and they had made gains, they would not be giving back the money. However, in the context of the current business climate where it is not easy to make a profit, some recognition might be given in this area. If the opposite had happened, these people would have pocketed the money; we live in difficult times and many companies are experiencing trading difficulties. If consideration of this issue were to stave off job losses, it would be worthwhile. I would like the Minister to comment.

[Deputy Michael Kennedy.]

I have spoken to the Minister about the position of the commercial golf courses and hotels which are paying VAT on golf green fees. Many of these businesses are experiencing a severe downturn in trading, with many struggling to survive. The suggestion of a temporary zero VAT rate has been made for income up to €37,500, similar to what applies in respect of the private member golf clubs. A temporary period of perhaps two years would assist these organisations, of which there are 52 involved in the Irish Golf Course Owners Association. They employ 4,000 people, strange as that might seem to some, and an investment of more than €700 million is involved. I sincerely hope the Minister will give consideration to this issue.

These organisations are at a complete competitive disadvantage compared to the private golf club. I am a member of a golf club, as the Acting Chairman may be. While some clubs might be put out by what I have said, there are jobs involved and we should do anything we can to maintain jobs and boost tourism. Many of these organisations are involved in good tourism promotion, which the Minister should also consider.

The carbon tax will be a direct cost added to the running expenses of haulage companies. A number of these companies have approached me to ask whether the Minister would consider applying the measure in the same way as the plastic bag levy, whereby the end user pays. If transport companies can pass on the charge to their customers, it will enable them to trade more profitably than they are at present. The transport business is going through major difficulties, as the Acting Chairman will be aware. Effectively, the new carbon tax will impose higher charges on such businesses which they cannot currently apply to the end user.

The point has been made to me that if this new regulation were implemented, local purchasers would look closer to home in terms of dealing with companies that are nearby because the cost would be reduced. It is probably an unusual request but it is worth considering. When the plastic bag levy was introduced and the end user was forced to pay, people decided to use paper bags rather than plastic bags. Due to the carbon charge, a person living in Cork would have to decide whether to purchase from a company in Donegal in preference to one in Limerick. I hope some change might be considered in this regard.

To return to a point raised by Deputy Burton in regard to judges and the courts, I am on public record on a number of occasions as stating that I regard it as unfair that judges should not pay their fair share, the same as all other workers. While I welcome the fact the Minister has now incorporated the voluntary payments system, it is regrettable that 15 months later more than 25% of judges have not seen fit to pay the levy. The Constitution should be amended to allow the Government of the day to dictate the salaries and income of judges. Judges are well paid and they enjoy a good expenses regime. As such, they are in as good a position as anybody to pay their fair share. It is hoped that the Government will in the future endeavour to bring about change in this regard. I note Fine Gael has taken up my previous public utterances in terms of its introduction of a Private Members' Bill to deal with this issue. I am glad to note that I influence Fine Gael from time to time.

Deputy Kieran O'Donnell: We welcome Deputy Kennedy's input.

Deputy Michael Kennedy: I thank Deputy O'Donnell. Deputy Burton's 30 minute contribution did not contain one positive comment, which is not surprising because rarely does she utter anything positive.

The reality is that we as an institution should be showing leadership and talking things up rather than down. This is our country and it is our children, parents and relations who are suffering job losses and reductions in their salaries. To come in here and speak in a negative

tone day in day out is doing nothing for public confidence or the confidence of business people. I welcome Deputy Burton back to the House——

Deputy Arthur Morgan: Deputy Kennedy is talking about Deputy Burton.

Deputy Michael Kennedy: ——on whose negative contribution I am commenting.

Acting Chairman (Deputy Tom Hayes): The Deputy should stick to the issue before us.

Deputy Kieran O'Donnell: Perhaps Deputy Kennedy will repeat his remarks for Deputy Burton.

Deputy Joan Burton: Saving the taxpayer €260 million is a pretty positive contribution——

Deputy Michael Kennedy: All that we hear from Deputy Burton and, to a lesser extent from the Fine Gael side, is NAMA——

Deputy Joan Burton: ——but the Deputy's side did not have the intelligence to pick it up.

Acting Chairman: Deputy Burton, please.

Deputy Joan Burton: Fianna Fáil is too stuck into its developer friends. The developers of Ireland own Fianna Fáil, lock, stock and barrel.

Deputy Brian Lenihan: There is a crock of gold at the end of most of our rainbows.

Deputy Michael Kennedy: If Deputy Burton could come up with an alternative to NAMA as has Fine Gael——

Deputy Joan Burton: We did on the night.

Deputy Michael Kennedy: The Labour Party offered absolutely no alternative to NAMA——

Deputy Joan Burton: Yes, we did.

Deputy Arthur Morgan: They did.

Deputy Kieran O'Donnell: Deputy Kennedy is endorsing many of our policies tonight.

Deputy Michael Kennedy: ——other than to nationalise the banks——

Deputy Arthur Morgan: It is the best idea.

Deputy Joan Burton: Temporarily.

Deputy Michael Kennedy: Let us look at the idea of nationalising the banks.

Deputy Joan Burton: Let us look at Anglo Irish Bank, the Government's bank. Let us look at Fianna Fáil's bank, Anglo Irish Bank.

Deputy Michael Kennedy: The banks assume €60 or €70 billion of——

Acting Chairman: Deputies, please. Members are making my job very difficult.

Deputy Kieran O'Donnell: Deputy Kennedy is going off script.

Deputy Michael Kennedy: If I am off-script, Deputy Burton never got on it, which is the reason I am referring to her contribution. I remained on script.

Deputy Joan Burton: The Deputy will have to be sent back——

Deputy Michael Kennedy: On nationalisation, what happens in nationalisation——

Deputy Joan Burton: What happened in Sweden? It recovered.

Deputy Michael Kennedy: The Government of the day assumes responsibility for €60 billion, €70 billion or €80 billion of debt and must inject major capital, hard cash——

Deputy Joan Burton: The Government has only injected €11 billion in hard cash so far.

Deputy Michael Kennedy: Perhaps Deputy Burton will say from where the Government could get this cash.

Deputy Joan Burton: It has yet to inject another €12 billion or €13 billion.

(Interruptions).

Acting Chairman: I ask Deputy Kennedy to address the Chair and refrain from responding to Deputy Burton.

Deputy Joan Burton: The IMF says €35 billion is needed for the Government's package.

Deputy Michael Kennedy: The only ones against NAMA are the Labour Party and some members of Fine Gael. Eminent people including Mr. Alan Dukes, the former leader of Fine Gael, Mr. Peter Sutherland, well known and respected financier who has——

Deputy Joan Burton: He is a banker, why would he not support it?

Deputy Michael Kennedy: ——Fine Gael leanings, the IMF, which we all know keeps a close eye on financial matters here, and the European Central Bank have all backed NAMA.

Deputy Joan Burton: That is not true.

Deputy Michael Kennedy: We all know there are difficulties.

(Interruptions).

Acting Chairman: Please allow Deputy Kennedy to continue without interruption.

Deputy Joan Burton: We will learn their conditions from the Commission on ECB in due course.

Acting Chairman: Deputy Kennedy has only three minutes remaining.

Deputy Michael Kennedy: On the confidence issue, people believe they should not spend money. Bank savings are at an all time high. People are also keeping money under their mattresses and in boxes. Small amounts of money when spent can have a major impact in terms of assisting retailers, job retention, VAT receipts for Government and so on. We need to send out the message that it is okay for people to spend 5% of their income. There are people who are suggesting we should not do so. I am not suggesting we return to the wild days of the Celtic tiger. However, there is nothing wrong with people changing their car or renovating their homes.

Deputy Arthur Morgan: Most people cannot afford to change their cars.

Deputy Joan Burton: They cannot get a loan to do that.

Deputy Michael Kennedy: Many people can afford to do so. We as an institution should be instilling confidence in people and encouraging them to spend a little of their money.

Deputy Kieran O'Donnell: That is what the Government did during the building boom and look where we ended up.

Deputy Michael Kennedy: This will assist job creation and will result in tax income for the Government.

Deputy Joan Burton: People need the banks to lend.

Deputy Michael Kennedy: I accept that the banks need to resume lending.

Deputy Joan Burton: They cannot do so under the Government formula.

Acting Chairman: The Deputy has only one minute and a half remaining.

Deputy Michael Kennedy: The people who have money stored in their savings accounts——

Deputy Joan Burton: The banks will not lend.

Deputy Michael Kennedy: ——should be encouraged to spend it on changing their car and so on and not be ashamed of doing so.

Deputy Joan Burton: They should call in to their local friendly bank for a loan.

Deputy Michael Kennedy: Reference was made to Mr. Gay Byrne frowning upon the 47 people who opted to change their car at a particular garage at Christmas time. What is wrong with them?

Deputy Kieran O'Donnell: They assume people are driving a 2010 registered car.

Deputy Michael Kennedy: People are entitled to spend their earnings, on which they have paid their taxes, on a meal in a restaurant or on a few pints on a Friday or Saturday night.

Deputy Joan Burton: Has Fianna Fáil introduced laws to prevent them doing so?

Deputy Michael Kennedy: They should not feel guilty for doing so.

Despite much of the negativity we have heard this evening, this Bill deals adequately with the relevant issues. We need the continued guidance of the Minister for Finance, Deputy Brian Lenihan, and the Government to get this country moving again.

Deputy Kieran O'Donnell: I welcome the opportunity to contribute to this debate. The Minister referred to the role of Government as being to create a pro-enterprise environment, a point with which I fundamentally agree.

This Bill contains many good measures in terms of tax avoidance and multinational companies, which I also welcome and with which I will deal in greater detail at a later point. However, it does not include measures to deal with the SME sector, the section of the economy which drives growth. What is important is that we have confidence, credit and competitiveness. Without confidence, people will not spend. Without credit, businesses cannot function and without

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competitiveness we cannot compete on world markets. We are a small open economy. We are all agreed that our return to growth must be export driven. To do this, we must be competitive. While our competitiveness has improved, we remain extremely uncompetitive in a range of areas. We must, in terms of the export market, bring about a devaluation of our currency by becoming competitive across a range of areas. I do not see measures in this regard in the Bill.

In terms of the small business sector, I welcome that the Minister has extended the relief in corporation tax for three years. Why did he not go a step further and extend this to sole traders? I will explain why. Most people who set up in business do so as sole traders rather than as companies. Prior to the introduction of the 12.5% tax relief, there was a 10% manufacturing relief at the normal rate. Many people went into companies straight away for that relief but now the 12.5% rate applies to all small companies, regardless of their activity. Most people set up as sole traders and when their tax liability moves them into the higher marginal rate, they normally decide to take the incorporated limited company route. They need relief in the early years. It is very welcome for trading companies, but small businesses face the cost of incorporating when setting up. If they are not making significant money, there is also the cost of salaries, whereas they could have a situation where they pay PAYE and PRSI, but not corporation tax. It is a recommendation of the Commission on Taxation and it would be a practical measure.

We must get an entrepreneurial culture going. I always advise clients to set up initially as sole traders and to see how they go. If the business takes off, they can then incorporate. It is a more tax advantageous way to do it and it is a simpler route. If people create limited companies initially, it can create major constraints in dealing with the Companies Office and other bodies. The Minister should bear this in mind.

Section 50 contains provisions for research and development, which we will examine in depth. Research and development should be available for offset against PRSI. Currently it is available for offset against corporation tax, but not PRSI or PAYE. It would further that high-end value economy, thus bringing about changes in that whole area.

To give credit where it is due, the Minister has brought in many changes regarding tax avoidance, which I welcome. In addition, he has amended sections dealing with capital allowances, particularly in technology and similar areas, which I also welcome. The Minister has brought in a situation where, effectively, mergers will not trigger any tax balancing charge and that is welcome.

The only way we will restore confidence is if we reduce growth in the live register figures. In the past two years alone, an extra 250,000 people have joined the live register. That 150% increase is staggering. We are probably going to breach the 500,000 mark this year. The only way to deal with that problem is to provide jobs, so we must find measures to do so. The Bill's measures concerning multinationals are to be welcomed, but the SME sector will be the major driver of our economic recovery. Small and medium-size enterprises will provide employment and will be the multinationals of tomorrow. We already have an entrepreneurial culture, but it needs to be fostered so that people link in with universities. We must move to the high-end market because we can no longer compete in the low-end market. Steps should have been taken much earlier concerning Dell in my constituency. We cannot compete on a cost basis in terms of wages so we must go to the high-end market.

We have an enormous opportunity for the SME sector to become the multinationals of tomorrow as regards export growth, but we must create the environment for it. One of the key costs for a small business is wages. We put forward a budgetary proposal to cut employer's

PRSI, half at the lower end and 2% at the top end. That would have reduced the cost of employment to the employer without affecting employees' take-home pay.

In 2001, our industrial prices for electricity were at the EU average but, from 2001 to 2008, our industrial energy costs rose almost 50% higher than the EU average. Can the Minister explain that? Ireland has the second highest energy costs in the EU, which is a huge burden on both the SME and multinational sectors. Government regulation must be examined in this respect.

Credit flow to small businesses is another problem. What do the IMF and the former CEO of AIB have in common? They both believe that NAMA will not bring about a flow of credit to the economy. Mr. Eugene Sheehy appeared before the Committee on Finance and the Public Sector, of which I am a member. He stated emphatically that he expected NAMA would not bring about a flow of credit, and the IMF said likewise. Are banks going to take NAMA bonds, go to the ECB, get funds and reinvest them in Government stock? NAMA still has not been signed off on by the European Commission. Our methodology for the national recovery bank was a simple formula whereby it would serve two purposes. First, it would bring about a flow of credit through a wholesale bank to existing retail banks and, second, it would have a form of risk-sharing mechanism in place.

Recently, the Tánaiste came to the House and flew a kite indicating that she may put a bank guarantee scheme in place. A bank guarantee has been in place in the UK for the past year and it has worked. It would not require a huge amount of funding. In the UK, they put in €1.3 billion which benefited 9,000 business and saved many jobs. There is now a need for a national recovery bank with a guarantee scheme in place that will bring about a flow of credit.

We must have deadlines for particular Government projects. The Government launched the e-Government strategy which cost taxpayers a fortune through malfunctioning areas. No deadline dates have been set for the smart economy. The public want to see that what the Government is providing is fair. We will soon have a debate on public servants' remuneration, concerning the exemption from pay cuts of higher level public sector employees. During finance questions last week, the Minister indicated that a Government decision was taken — I presume at Cabinet level — prior to 18 December when the emergency Finance Bill went through the Seanad. On what precise date was that decision taken in Government? The IMF informed the Minister that it had reservations about NAMA concerning credit flow, but he did not make that public during the debate.

Deputy Brian Lenihan: It had no reservations about NAMA at all.

Deputy Kieran O'Donnell: We got it under a freedom of information request, although the Minister may not like to hear what they are saying. Furthermore, a Government decision was made concerning higher public servants' pay, yet when that measure was going through the House the Minister did not make it public. He brought it through in a circular on 23 December and he will now ram it through under a specific section in the Bill before the House.

The Bill as presented does not deal with what I feel is now required, which is an entrepreneurial culture to foster the SME sector. The Minister could simply extend the exemption for the first three years for sole traders as well as companies. That would be a practical and welcome measure. The Minister should also allow research and development tax credits to be offset against PRSI and not just corporation tax. That would provide an environment for high-end development towards the export market. It would also reduce the employers' share of PRSI costs.

Debate adjourned.

Private Members' Business.**Public Service Remuneration: Motion.**

Deputy Richard Bruton: I move:

That Dáil Éireann:

- rejects as neither just nor equitable in all the circumstances the decision made by the Minister for Finance on 22 December 2009 to reverse the reductions in base salary for the highest-paid public servants announced in budget 2010, while leaving the cuts for the lowest-paid public servants unchanged; and
- calls on the Government, in the interests of fairness and solidarity, to implement in full the recommendations of Report No. 44 of the Review Body on Higher Remuneration in the Public Sector.

With the House's permission, I wish to share time with Deputies Denis Naughten, Michael Ring, Tom Hayes and Pádraic McCormack.

An Leas-Cheann Comhairle: Is that agreed? Agreed.

Deputy Richard Bruton: The Government decision to exempt 655 public servants from the pay reduction announced on budget day was neither fair nor justified. The unfairness is best exemplified by the fact that it means that people on the lowest level of pay in the public service will see a reduction in their pay of 5% while this category of public servants will see their take-home pay cut by just one third of that amount. That goes to the heart of the sense of injustice that is felt not just on this side of the House. Clearly, individuals on the Government's backbenches feel very strongly that this is an unfair approach to public pay.

Apart from the unfairness, it is simply not justified. We hired a higher remuneration group to recommend how people in these high-paid jobs should be paid. It made a very clear recommendation. In the full knowledge that the bonus system had been suspended, it recommended that cuts of 8% be imposed on assistant secretaries and cuts of 12% on deputy secretaries. Those recommendations were taken up and implemented in the budget. The Minister for Finance and his entire parliamentary party knew that bonuses had been suspended when they made a decision consciously to apply 8% cuts to assistant secretaries and 12% to deputy secretaries and the knock-on effect on 655 individuals in senior privileged positions in the public service.

For some inexplicable reason within two weeks in the shadow of Christmas, the Minister issued a direction under the Financial Emergency Measures in the Public Interest Act after a decision of Government that the recommendation of the review group and the decision of the budget should be reversed. No explanation or justification was offered. The provisions of section 6 of the Financial Emergency Measures in the Public Interest Act are very explicit. This is not a general power to the Minister to do whatever he likes. This is a power under very significant restrictions. He must show that a substantial inequity has occurred and that it is just and equitable in all the circumstances to change the position as announced in the budget.

We are not privy to any such evidence adduced by the Minister. From the Taoiseach and Tánaiste we have seen efforts to defend this decision that were incredible and downright wrong. That suggests to me that the Minister did not take seriously his responsibility under the Act

only to use this direction where there was a substantial inequity and where it was just and fair to everyone to take this action. I have not seen any independent commentator take the view that this was just and equitable. Far from it, people see this as those at the top of the tree circling the wagons to protect themselves from cuts that were being applied to those at the bottom. It was the worst example possible at a time when the economy is facing difficult decisions and people are being asked to tighten their belts and take cuts. We then find a privileged few being able to circle the wagons and wriggle out of this.

While I am not sure whether the Minister of State, Deputy Martin Mansergh, knows it himself, I would like to know the procedure for this Government decision. Was there a memorandum setting out the evidence that supported this change? How did it happen that the Taoiseach and Tánaiste came in here blissfully ignorant of any such evidence as was absolutely from their efforts to defend it? I would like to see the evidence that substantial inequity was occurring and that this was fair and just in all the circumstances. What consultation was conducted with the review group that had done the work and presented a report which had been accepted by Government? What consultation took place with it before the Government turned tail and ran in the opposite direction under the shadow of the Christmas holiday?

This stank to high heavens. It is not surprising that Fianna Fáil backbenchers, who are not represented here tonight, saw this for what it was. They are not fools. They may be treated like fools and given the old mushroom treatment — being kept in the dark knee-deep in manure. However, they are not fools and were willing to face this down and take their Minister to task. Unfortunately, the Government applied the full strictures of the Whip to silence these people and we are left with just one individual, Deputy Mattie McGrath, who has the courage of his convictions, to come along and vote to reverse this injustice. I look forward to having his support and it shows that at least there is some responsibility and sense of decorum left in the Fianna Fáil Party.

When the cut was proposed, we took a very different view. We said that people on low pay should be exempted and that the first tranche of €30,000 should not be touched. That was fair and it was broadly supported that something had to be done for the low paid. People on little more than the minimum wage should not be sucked into pay cuts of this nature — the second set of pay cuts. They were struggling to get through this recession, which is very much in contrast to assistant secretaries and deputy secretaries who are on €173,000. They are not in the same category and struggling to get by.

For the Government to take a decision to make what was already in most people's eyes an unfair structure even worse and exempt those top earners was really rubbing salt in the wound. We need to see the evidence laid out so that everyone can have an understanding of this. Let us see why the Government has turned its back on the review group, a professional body of individuals drawn from not just the public sector, but also the private sector, which fully knowing that the bonus system was gone still recommended cuts.

What the Tánaiste said in the House was extraordinary. She pretended that the review group recommended precisely the opposite of what it had recommended. She said: "the review body on higher level pay indicated that the bonus was indicatively part of their salary." That was nowhere in the report. Time and again, year after year, the review group had confirmed that bonuses were not part of salary. They never are, never were and never should be. The Tánaiste seemed to take completely the opposite view. The Taoiseach came in here and asked that we be fair to these people and said that because there were bonuses, their pay had been cut over the years and had suffered worse than anyone else.

The evidence shows precisely the opposite. The highest pay increases in the public service have been at deputy secretary and assistant secretary level. They have enjoyed the highest

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increases throughout the public service since 1991. Indeed, they accelerated in the period since 2001 when the bonus scheme went up to 10%. In that time those individuals have received a 78% increase in their pay when the increase for clerical officers has been 48%. That is an enormous gap of 30%. They have enjoyed much quicker growth. The differences in absolute terms are startling. A deputy secretary enjoyed an increase in those eight years of €76,000, which is ten times the increase given to a clerical officer at the bottom of the scale. How can the Government turn around and claim that not only are they entitled to a €76,000 increase over that period, but on top of that a €17,000 bonus, which should be regarded as their entitlement as if it were basic pay?

It flies against everything the review group had recommended. It is ironic that the Taoiseach was so keen to back up the review group when it was telling him and his Ministers that we should have increases. In effect, he was saying: “We always accepted the independent review group’s view as gospel, since it makes its decisions fair and objectively.” However, when those decisions do not suit certain people in the public service, the Minister turns tail and reverses the increases. It is simply not fair to people and we have to change it.

The Minister for Finance was no better. He came into the House and pretended that those bonuses were always part of pay. He said that the bonus scheme provided for an average payment of salary. It did no such thing. It provided that the maximum that could ever be paid was 10% of the salary pool. It provided that, generally, no increases should be given to anyone who was not exceptional in his or her performance. This was absolutely clear; it had nothing to do with core pay. It was for individual public servants who achieved above and beyond normal performance. That is what the test was.

Time and again the review body insisted that “awards must not be seen as an automatic addition to pay”. Again, in another year, it stated: “It is particularly important that an award made in one year is not regarded as an entitlement to a similar award in subsequent years.” Again, it said that “award schemes must avoid the perception that there will be something for everyone” and “performance related pay should not be pensionable”, yet the Minister has done precisely the opposite. He has pretended this is core pay and that right across the board every deputy secretary and assistant secretary, every one of the 655 workers in local authorities and the HSE at senior level, are automatically entitled to this as part of their core pay and that it has nothing to do with exceptional performance.

The Minister is saying they are entitled to it and they should not be asked for any reduction in their pay because this bonus scheme has been suspended. That is what the Minister decided. It flies in the face of everything we learned from the review group in terms of what performance pay was about, which was rewarding people who were exceptional.

That has been suspended now, as the review group rightly said, because bonus pay has been suspended everywhere else in the economy. People in the private sector were getting similar, and often much greater, bonuses and they have been wiped out. Bonus pay is gone, as the review group told us. The same should apply in the public sector. The reduction and elimination of bonus pay was not, in the review group’s view, a reason for not applying fair cuts to everyone else. It was absolutely clear in its decision, but not one of the three, the Taoiseach, the Tánaiste or the Minister, has shown that he or she respects the legislation passed here before Christmas. This provided that, to make a change such as this, there has to be a substantial inequity and it must be just and fair in all circumstances that such inequity be tackled. Far from this, however, the Government has given to people at the top something denied to those at the lowest pay in the public service — people who are genuinely struggling to get by, people earning less than €30,000, those on the minimum wage, porters who are trying to support mortgages. They were told that they had to take the full 5% cut.

They are angry at the substantial inequity that has been applied to them, and neither do they figure on the Government's radar when it comes to measuring exceptional and difficult times. Those who feature on the Government's radar are the people at the top of the tree, earning €173,000 plus a bonus on top of that. I cannot, for the life of me, see how that can be judged as fair and equitable in all circumstances. It is simply a disgrace and, what is more, it is going to carry on into pensions.

By treating non-pensionable pay as a reason for exempting people from cuts, the Government is guaranteeing that for those 655 individuals, where everyone else has not had that opportunity and must look at the prospect, unless they retire in the next 12 months, their pensions will be permanently eroded by this decision, one which is not being applied in the case of those who are better off. I rest the case that this is an inequity which needs to be reversed. I am delighted to have had the opportunity to debate this and to get the views of ordinary backbenchers, whose absence is deafening in its scale. There is no one here on the Government side apart from the poor beleaguered Minister of State who comes in here to listen to us. No doubt he will rise to the occasion and tell us exactly how these decisions were taken.

Deputy Kieran O'Donnell: And where Deputy Mattie McGrath is.

Deputy Denis Naughten: I thank Deputy Bruton for tabling this motion in the name of the Fine Gael Parliamentary Party. Hundreds of thousands of people on low pay are struggling to cope at the moment. The average family will pay an extra €1,000 this year in stealth charges imposed by the Government and interest rate increases. They are literally living from week to week, hoping no one gets sick and that an unexpected bill will not have to be paid. Many public servants, especially those on lower pay, are mortgaged to the maximum, on the basis of the permanent pensionable job that has been shoved down their throats by many people in the media over recent months. They never envisaged that they would have to face pay cuts when they were taking out those mortgages, as they struggled with the calculations to draw down the money from the banks in the first place.

Like everyone else, they accept we need to work together to get out of the mess that Fianna Fáil has created. They are prepared to carry part of the burden, as everyone else in society must, which has been created by the Government's incompetence over the last ten years. The fact that they have to pay twice as much as many in senior management in the public service, however, is totally unjust, especially as these same managers facilitated the irresponsible management of the economy by the Government.

Among the 655 individuals are management personnel in the Health Service Executive who failed to reform the administrative structures within the health system, which has led to a situation where front line staff are being withdrawn in hospitals and community services purely to maintain managers in jobs. Also included are managers in the Central Bank and the Financial Regulator, who failed to curb irresponsible lending by banks and other practices over the years, and managers in FÁS, who brought that organisation into disrepute, in addition to Department of Finance officials, who failed to project the correct receipts in relation to taxation during the good times. They were supposed to be watching over the banking system and monitoring the value for money reviews which were supposed to be taking place across the public service.

Deputy Bruton indicated the review body had made it critically clear that performance pay must be linked to successful completion of highly demanding and challenging tasks. Will the Minister of State explain to me how he can justify people in FÁS getting such bonuses while they were literally stealing taxpayers' money and why management within the HSE, who failed

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to implement reforms that would assure a quality health service, should get those bonuses while funds for front line staff were being withdrawn? How can these bonuses be justified? Bonuses should have been about reform and performance, but the Government and senior management took them to be part of basic pay.

Herein lies the fundamental flaw in relation to the bonus system. It was considered by Government as part of basic pay and not part of the incentivisation process to try to reform and overhaul the public service. It is enormously frustrating to see people on the lowest income levels within the public service, those who are struggling at the moment, cry out for reforms. Their jobs are soul destroying because of the lack of leadership within management ranks in the public service. They now have to carry the can.

When he articulated the position of the Fine Gael Party regarding public sector pay, Deputy Richard Bruton made it quite clear that anyone under €30,000 should be exempt because such people were on the lowest pay and struggling to cope and manage. Anyone on under €75,000 would be better off under the Fine Gael proposals rather than the Government proposals introduced by the Minister.

What makes this remarkably frustrating is that this decision will set back any plans to reform our public services. Public servants at the coalface are the very ones who see the flaws within the system and who seek reform. It is amazing when one goes out to meet public servants. They raise the issue of the need for public sector reform; they have been working at the coalface, they have put in the long hours and they have given commitment and service to the public. Their management have collected their bonuses on that basis and now they have received a double bonus, since the original bonus is now being calculated as part of their pay for the purposes of pay cuts.

How can the Minister of State justify a situation where, since 2000, the senior grades have received 30% more in pay than those at the coalface working on a day-to-day basis? How can the Government justify a situation where assistant secretaries in Departments received a €76,000 increase during that period, some ten times the rate of pay of a clerical officer? Clerical officers and lower grades have taken double the pay cut of senior management within the public service. This decision is seriously flawed. It will set back reform of the public service for years and will cause complete industrial turmoil over the coming months.

Deputy Michael Ring: I am delighted to be able to speak on this motion. As with the previous speakers, I am very pleased Deputy Richard Bruton has put this motion before the House because it provides us with several opportunities. I welcome the Minister of State, Deputy Martin Mansergh, to the House. He has been a supporter of the Government, for which I admire him. We are affording his colleague, Deputy Mattie McGrath, an opportunity. He proposed a motion at the Fianna Fáil Parliamentary Party and could not get a seconder. He will have no need for a seconder in the Dáil. All he needs to do is to walk up the steps with us or vote with us tomorrow night and I hope he will do so. I have no doubt he will do so. I hope he will not be a lion in the constituency but a mouse in the Dáil. I trust that will not be the case. I will be watching him very carefully tomorrow night, as will the Minister of State.

I know he will vote with us because he knows this is wrong and on this I compliment him. He knows it is wrong, I know it is wrong and Fine Gael knows it is wrong. This is why we are affording an opportunity to Deputy Mattie McGrath, any other Fianna Fáil backbencher or anyone else who has concerns about this matter to vote on this motion.

Deputy Tom Hayes: The Minister of State is enjoying this.

Deputy Michael Ring: I refer to the people who were able to get to the Government. This situation proves who has the power in this State. It lies with the 655 civil servants who were able to say to the Government and Ministers that they would not take a pay cut, while every other worker in the State, in both the public and private sectors, had to take a pay cut. This is wrong. Certain people in local authorities earn a very small income. There are some who bring home €450 or €500 per week and such people must pay levies and take a reduction in their pay. However, senior civil servants who are making a fortune and whose jobs are protected do not have to pay it. It is wrong and it must be reversed.

We must all take some of the pain and no one should be exempt. Great anger is being experienced by people on low pay and in the public service at the fact that these 655 people could influence the Department of Finance and the Minister to get their way. For all my life it has been the case that a bonus is not a salary; it is a bonus. One get rewarded for the work one carries out.

Deputy Pádraic McCormack: Sometimes one gets rewarded for work one does not do.

Deputy Michael Ring: That is true too. I refer to the bonus scheme in place. I have tried very hard to find out more about this area in recent years. A former Deputy, Mr. Paul McGrath, and I tabled freedom of information requests and we went to the Ombudsman to see how these civil servants were paying themselves and to find out what criteria were used in respect of the payment of the bonus. It was amazing. A little fund was in place. They divvied it up among themselves and everyone got equal pay every year, but at the same time the economy was going down. The services they were running were being put out of order and they were not doing the jobs for which they were getting paid, never mind the allocation of bonuses.

I was disappointed that the former Ombudsman, Mr. Murphy, and the current Ombudsman did not reverse that decision. It is only right because public money was at stake. We should know why county managers, directors of services, county engineers and principal civil servants were getting these bonuses, what service they did for the State, what money they saved the State and on what basis they were getting the payments, but we could never find out. Is that not amazing?

Journalists can come to the House and use freedom of information legislation to get information from the Minister of State or any and every Deputy in the House, and rightly so. They can use the freedom of information legislation to get information on everyone covered by the Freedom of Information Act, but not the 655 senior civil servants. They were saved. There was no freedom of information for them and their information was deemed private. They received their little fund and divvied it up among themselves.

There is great anger among low paid workers who wonder why they must take the cuts. People are suffering, including middle class people and people on low incomes. Third level fees must be paid, there is no medical card relief and such people have mortgages to pay. These people are struggling and I fully understand the frustration of those in the public service and why they are angry and upset. Such people do not mind supporting or helping the State or playing their part.

Has this Government not learned? Did we not see this with the builders and bankers? They were able to get their way with the Government. We have not seen a banker go to jail yet. However, there are poor people who collect the bins or who work for the council on a wage of €450 or €500 per week and who must pay this levy, while senior executives do not have to pay it. This is wrong and I hope Deputy Mattie McGrath and the Fianna Fáil backbenchers who sought a debate on this matter vote with us tomorrow night.

Deputy Tom Hayes: It is very hard to follow that, but I am very pleased to have the opportunity to contribute. I thank Deputy Richard Bruton for giving all of us the opportunity to discuss the matter on behalf of the thousands of low paid public servants who are very annoyed.

An announcement was made prior to Christmas that affected many of the people in charge at county manager level, at director of services level in the county councils and in the HSE. The annoyance of a substantial number of people on low wages who were asked to take a cut is palpable. Such people were out gritting the roads during the frost, filling the pot holes after the torrential rain and driving ambulances across those roads, bringing sick and injured people to our hospitals. They were annoyed and frustrated but they had come to the realisation that the economy was in dire straits. They were aware the Government was very short of money. After a long period of convincing, such people came around to the viewpoint that they should take the cut to ensure fairness. On the night of the budget, many such people were shocked to hear of the cuts to be put in place. However, such cuts were accepted in the hope that it would straighten out the economy and these people were prepared to do their bit, the same as everyone else given that people in the private sector have lost their jobs across the board.

People had come to accept the change but, lo and behold, some days before Christmas this announcement was made. I do not know how it came about or from where the influence was brought to bear, but people on the upper salary scales in the Civil Service did not get the same cut as the person who fills the pot holes in my constituency. It is unfair and unjust. It is incredible that a Government that spent up to a year preaching to us about the need for everyone to take cuts and convinced people of the need for such cuts would do such a thing to all those people.

I have never in my life, but particularly in recent weeks, come across so many people who are hard pressed for cash. They include public servants, particularly the low paid. Only last week a lady came to my constituency office whose husband had lost his job in the private sector. She had a public service job paying €25,000 per year and had a mortgage of almost €2,500 per month. Her position is totally unsustainable. She told me she was going to hand back the keys of her house in which she has lived for the past number of years. She was a low-paid public servant and as she walked out of my office she turned and said, "Who in the name of God influenced the Government such that it would allow my manager not to get the same cut as me?" I could not answer her.

Was influence used to reverse the decision on the pay cuts? I am extremely concerned that such influence got the better of the Minister. We should not have allowed this to happen. As we face more difficult budgets in the years ahead, we must bring the people with us. Unfortunately, their trust is now broken. We should not have allowed this to happen.

A bonus is not a salary, as was said time and again. There is no justification for doing what was done. I urge every Member to stand up because it is not too late to change the decision. The Fine Gael proposal, namely, not to cut the pay of low-paid civil servants, represents an alternative. Deputy Richard Bruton proposed in his alternative budget that the pay of lower-paid public servants not be cut. We should accept this because the anger among lower-paid public servants is unbelievable. If we, as their representatives, are to fight for what they want, it is in this Chamber that we must do so. Everybody should work together in this regard. Trust is broken and when one breaks the trust of the public servants on whom cuts have been inflicted, one will not receive co-operation. I urge everyone in this House to reconsider and change the decision and do what is fair on behalf of the taxpayer, including lower-paid taxpayers.

Deputy Pádraic McCormack: It is unfair that the extremely higher-paid public servants should have a smaller reduction in their wages and salaries than the lower-paid civil servants.

This is a fact of life. It was deceptive of the Minister, on behalf of the Government, to announce the U-turn on 23 December, two weeks after the budget when he believed nobody would notice and that he would get away with it. The Dáil was in recess and we could do nothing about it at the time. Perhaps the announcement was to allow for a Christmas bonus for higher-paid civil servants — I do not know.

The policy of Fine Gael is that those on wages and salaries up to €30,000 should be exempt from the levy. Now the Government has singled out the top 650 higher salary earners in the public service for special treatment. How can it justify its decision to cut the pay of the lower-paid public servants more, in percentage terms, than the pay of higher-paid civil servants, some of whom earn €100,000, €200,000 or €400,000 per year?

The public was ready at the time of the budget to accept measures necessary to correct the damage to our economy caused by the current and past Fianna Fáil-led Governments, but only if there had been fairness all round. Fairness was the key to gaining public acceptance. The December budget announced a 12% pay cut for top earners and an 8% cut for middle and second-level earners, as recommended by the Review Body on Higher Remuneration in the Public Sector in Report No. 44. The supposed cutback in pay for higher-paid personnel was used in the budget to try to justify a pay cut of 5% to 8% for those on middle incomes and a 5% pay cut for those earning less than €30,000. Fine Gael would exempt the latter.

The Minister, on the day before Christmas Eve, released a circular announcing the scaling back of pay cuts to an average of 3% for assistant secretaries, deputy secretaries, local authority and health board executives and other higher-paid individuals. This has led to great hardship for the lower paid and resentment over the fact that their higher paid bosses have been subject to a much lower cut than them. It has led to bad public relations in those public bodies where the staff have received pay cuts greater than those of their managers.

I received a letter today from a constituent, a public sector administrator on a moderate salary working in Galway. She stated her income has been cut by 15% in the past nine months and that the pay cuts are grossly unfair and place an inordinate burden on low-income and middle-income public servants. She said the cost of diesel, doctors and dentists has greatly penalised people in her position in the past year and that she is at her wit's end. Many of us have received similar letters, including Government Members.

Working-class families and lower-paid workers with two or three children must regularly visit the doctor or dentist. They are now hard pressed to afford this given the budgetary cut-backs that have affected them. Those families just do not know where to turn. Young children must be brought to the dentist or doctor on many occasions. The professional fees now charged are far in excess of those being charged a few years ago. I do not know what the Government intends to do or can do to control professional fees. The fees, as they stand, are crucifying hard-pressed families.

Fianna Fáil and Green Party Members know what they did was wrong. The parties' backbenchers know this and are being reminded of it in their constituencies. Their consciences are telling them to vote against the cuts. They will have an opportunity to do so tomorrow night in this House. Deputy Ring challenged Deputy Mattie McGrath, who said he would vote against this Bill, to do so. The Minister of State at the Department of Finance, Deputy Mansergh, who has now left the Chamber and who is from Deputy McGrath's constituency, smiled wryly at the idea. I do not know whether he knows something we do not. Perhaps Deputy Mattie McGrath will vote for the Fine Gael motion on this occasion. He promised he would do so in regard to the NAMA Bill and the legislation to reduce the level of alcohol allowed to drivers. I do not know where he was when those votes took place but he certainly did not vote against the Bills in spite of all his wild talk on the night.

[Deputy Pádraic McCormack.]

The wage cut for managers and staff in high-paid positions has been reduced to one of 3%. Those are the people who are managing the front-line services that have been cut back seriously. The carer's allowance, which benefits those caring in their own homes for 24 hours per day, has been cut and, in many cases, home help has been reduced from nine hours to six hours. In one case I know, the home help for a doubly incontinent person has been cut from six hours to three hours. We will have many cutbacks to front-line services but the higher-paid managers, whom the Government wants to protect, have guaranteed jobs. They are using cuts to front-line services to save money to allow them hold on to their own positions and salaries. The Government has now given them another bonus in that it is to cut their pay by only 3% rather than 12%, as indicated in the budget two weeks before Christmas.

Minister for Finance (Deputy Brian Lenihan): I propose to share time with the Minister of State, Deputy Peter Power.

An Leas-Cheann Comhairle: Is that agreed? Agreed.

Deputy Brian Lenihan: I move amendment No. 2:

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

- “— commends the Government for its actions to restore the public finances and for its difficult but necessary measures to reduce the public service pay bill;
- notes that public servants have made a substantial contribution towards the necessary reduction in public expenditure, including through the pay reductions applied under the Financial Emergency Measures in the Public Interest (No. 2) Act 2009;
- commends the Government for applying substantially larger reductions to the remuneration of higher paid public servants and notes that all reductions are proportionate;
- notes the decision of the Minister for Finance to take into account the reduction in the total remuneration package, including the performance related pay, in considering the appropriate reduction to apply to Assistant Secretaries, Deputy Secretaries and related grades in the civil and public service;
- notes the cumulative impact of the reductions in public service pay over the last 18 months ranging from one third of the net pay of Secretaries General; a quarter of net pay of Assistant Secretaries; to less than 8% of net pay in the case of a clerical officer;
- further notes that the Review Body on Higher Remuneration pointed out in its report that unique among the grades it examined, the pay level of Assistant Secretaries was lower than or broadly similar to their counterparts in five other European countries;
- notes the intention of the Government to ask the McLoughlin Local Government Efficiency Review Group to examine the senior management structures in the local authorities and a similar review to be carried out by the HSE;
- commends the quality of the work of public servants in these difficult times; and
- agrees with the view of the Government that it is necessary to engage with its employees on badly needed reform that will deliver the necessary productivity measures and savings in the costs of the public service.”

There has been a great deal of populism and begrudgery about the debate that has taken place on this entire controversy.

Deputy Richard Bruton: The Minister was not here to discuss it.

Deputy Brian Lenihan: I am extraordinarily conscious of the need for fairness in the sacrifices we have all had to make in dealing with this most acute financial and economic crisis.

Deputy Pádraic McCormack: Set one sector against another.

An Leas-Cheann Comhairle: Please allow the Minister to continue.

Deputy Brian Lenihan: In the past 18 months, the Government has had to make very difficult decisions. In doing so, we have done all we can to protect the lower paid and those on social welfare. Those who earn most have paid most.

Deputy Pádraic McCormack: No.

Deputy Brian Lenihan: For example, in the last three budgets a clerical officer on the mid-point of the scale has seen their net pay reduce by less than 8%. The assistant secretary has seen an average 24% cut in net pay over the same period, and deputy secretaries have seen a pay reduction of 27%. I have circulated to Deputies a page which shows very clearly the progressive nature of the reductions.

Of all persons, Members of this House, more than most, should know how salaries and remuneration can be misrepresented. Let us deal, therefore, with facts in this debate.

Before the budget, there was agreement among the main parties in this House that the extent of our deficit required that savings be made in the public service pay bill although we disagreed on how those savings might be achieved. The public service unions also accepted that immediate reductions in the pay bill were necessary. In the event, the Government made a decision in the budget to make a saving of approximately €1 billion in the public service pay bill.

Deputy Pádraic McCormack: And the Minister backed down two weeks later.

An Leas-Cheann Comhairle: Allow the Minister to speak.

Deputy Pádraic McCormack: I am only helping him.

Deputy Brian Lenihan: In deciding how this €1 billion of savings would be applied to the salaries of public servants in 2010, the Government was guided by the need to ensure that those who earned more would contribute more and that office holders and other senior public servants would lead by example.

The reductions effected range from 5% to 8% in the case of public servants with salaries of up to €125,000. The reductions provided for are balanced and progressive but they are not painless and they had an adverse impact on all public servants in their daily lives. We all have to adapt our financial commitments and living standards to our available income and, therefore, any measures which reduce that income require immediate and difficult adjustments. I am well aware that public servants in many cases are struggling to cope with reductions in their incomes. This is especially the case for those public servants on modest incomes and, in reality, almost two thirds of public servants earn €50,000 or less per annum.

Given the numbers of public servants on lower salary levels, it would simply not have been possible to achieve the scale of reduction required in the pay bill by exempting those on lower

[Deputy Brian Lenihan.]

salary rates. In deciding on reductions, however, I was conscious of the need to keep the rate of reduction in their salary levels as low as possible.

I was also aware that, in general, public servants on modest salaries have access to incremental pay scales based on satisfactory performance and service and this can become an important element in their salary. The Fine Gael policy suggested freezing incremental scales within the public service. Deputy Bruton and Deputy Kenny regularly held up this measure as an example of how they would deal with the public finances. Where is the fairness in that proposal? It is a direct hit on the pay of lower civil servants.

We, in Government, rejected that option precisely because it would unfavourably and disproportionately impact those on lower salaries for whom increments can represent a significant element of remuneration over time. For example, the average value of incremental increases at lower grade levels in the Civil Service range from more than 3% to in excess of 4.5%. These incremental increases remain in place albeit at the reduced rates.

For public servants with a basic salary over €125,000 reductions were generally as follows: 8% on a salary over €125,000 but less than €165,000; 12% on a salary over €165,000 but less than €200,000; and 15% on a salary over that.

Deputy Pádraic McCormack: The Minister backed off.

Deputy Brian Lenihan: The Taoiseach and the highest level Secretaries General received a pay cut of 20%. These higher reductions correctly applied to those who could most afford to pay.

There was one group, however, that caused the Government some unease. That group was assistant secretaries and deputy secretaries. They would have been treated exceptionally harshly by the combination of a number of cuts to their remuneration and would have ended up incurring a greater sacrifice of pay than all other groups except the Taoiseach and the two highest paid Secretaries General. That position would have arisen through a combination of the pay adjustments recommended by the review body and the termination of the performance related pay that had been an intrinsic part of their remuneration in the Civil Service and for related grades in other parts of the public service since 2001.

I would like to give the House some background on the performance related pay which has featured in this controversy. In its report No. 38 of 2000, the Review Body on Higher Remuneration in the Public Sector recommended that the overall remuneration of these grades should comprise a basic salary plus performance related pay. The review body recommended that an overall pool of 10% of the pay bill for the grades concerned should be set aside for performance related pay.

Deputy Pádraic McCormack: What about report No. 44?

Deputy Brian Lenihan: In accordance with the recommendations of the review body, therefore, a pool of 10% of the pay bill was paid each year in addition to basic pay. The amount paid to individuals varied but, obviously, the average payment for an individual was 10%.

Some of the commentary about the operation of the scheme of performance related awards suggests a misunderstanding of how the scheme was operated. It was overseen by the Committee for Performance Awards which included a majority of private sector members. The objectives assigned to assistant secretaries, on which their performance was evaluated and the awards for individuals were approved by the committee.

Performance related pay has long played a role in driving performance in the private sector, and there could be a role for it in the public service, but current economic circumstances do not permit a performance related award system. The Government decided in 2009 to terminate the scheme of performance related pay but, as I stated at the time, this was subject to discussion with the relevant staff association on the way in which the decision would be implemented. I met the staff association representing assistant secretaries and deputy secretaries before Christmas and gave consideration to their views in deciding how the termination of performance related pay should be dealt with in the context of the reductions in pay.

In the context of the discussion at Government about the draft legislation providing for the reductions in public service pay which took place at the time of the budget, the position of the assistant secretary grade was considered. It was recognised that the draft legislation could and should allow the particular circumstances of the grade to be addressed. However, no decision was taken on the manner in which this might be done. This was left to me, as Minister, under the legislation once it was enacted. Ultimately, I decided it was reasonable that the deductions applied to the grades of assistant secretary and deputy secretary should comprise both a reduction in basic pay and a termination of the scheme of performance related pay. It must be remembered that the review body did not recommend termination of the scheme of performance related pay. The review body stated that it remained committed to this scheme but suggested that payments be suspended until 2012 and reviewed again then. In deciding to terminate the scheme, the Government has gone beyond that recommendation.

As I have stated, there were variations in the amounts paid to individuals under the scheme of performance related pay but the average annual payment was approximately €15,000 in current terms. It is simply not reasonable to ignore the loss of payments of this sort. If a reduction of 8% had been applied to the basic pay of the grades in addition to the termination of performance related pay, the average reduction would have been 18% of salary on this occasion alone, which would be higher than the deduction applying to higher paid grades. This would have been especially unfair when the review body's own research showed that on a like-for-like examination, the pay of these grades was below that of comparable grades in the private sector and was lower than that in most other countries examined.

It is important to understand in the context of this debate that the review group on higher level pay did benchmark the higher level salaries against international comparisons.

Deputy Pádraic McCormack: I suppose it was against those in Greece.

Deputy Brian Lenihan: The review body benchmarked their salary against their counterparts in five other countries. The report noted, when comparison was made on an adjusted income basis, the salary of the Irish post of assistant secretary is behind that of four other countries. The United Kingdom's is 102% ahead, Germany's, 29%, Belgium's, 6% and the Netherlands', 1% ahead. Only in Finland was the salary level slightly below that of the Irish post.

It is unfair and inaccurate to attempt to portray the effect of the reductions imposed on assistant secretaries and deputy secretaries as involving smaller reductions than those applying to lower paid groups. The resulting adjustments, including the effect of the termination of the scheme of performance-related pay, produced significant reductions in remuneration of 14% in the case of the grade of deputy secretary and 11.8% in the case of assistant secretary. These reductions are higher than those applying to other groups at the lower salary levels and significantly higher than the minimum reduction provided for under the legislation of 5%.

Deputy Pádraic McCormack: So bonuses are now raises.

An Leas-Cheann Comhairle: Deputy, please allow the Minister without interruption.

Deputy Brian Lenihan: The substantial reduction the Government has applied to the pay of persons at this level is starkly highlighted when net reductions are examined. The Government, in taking the difficult decision to reduce all public servants' pay, has sought as far as possible to protect the pay of the lowest paid and apply the major adjustments to those who can most afford it. Similar performance-related pay schemes, independently assessed, applied in other sectors of the public service, including the Health Service Executive and the local government sector. Accordingly, they also were included in my direction on pay.

I am concerned about the efficiency of management structures, particularly in the HSE and local government. Accordingly, the Government intends the McLoughlin group, undertaking an independent efficiency review of local authorities within a tight timeframe, will also review management arrangements in local authorities, as well as taking account of Government policy on local government reform and measures already in train in the transforming the public service agenda. The group is to complete its work by the middle of this year. The Government intends that a similar review will be carried out in the HSE.

The Government's policy approach on pay is dictated by necessity not confrontation. Common approaches and shared solutions remain the preferred policy instruments of the Government to address public service pay issues. These approaches have served well before at times of serious economic difficulty in the 1980s and have the potential to continue to do so. The approach is based upon a mutual recognition among all stakeholders, employers, Government and employees, of the scale of the economic problems facing us and an agreed policy response which sets aside short-term interests for long-term economic gain. The magnitude of the economic problems facing us are greater, but I believe we are in a much better position than in the 1980s in potential, ambition, confidence, achievement and determination. We have overcome our economic problems in the past and will do so again.

Budget 2010 was the latest in a series of measures, beginning in mid-2008, to bring order to the public finances. It is clear the actions taken by the Government are having an effect, the decline in tax receipts has moderated, expenditure pressures have lessened and the cost of borrowing has reduced from the high levels seen in early 2009. Recent movements in the international markets underline the importance of continuing to take such firm and decisive action to restore stability to the public finances. They also underline the importance of the decisions the Government took on public service pay in the recent budget. Decisive action now will return the economy to a sustainable growth path. While challenges and difficult choices still remain, the Government is determined to continue to take the necessary steps in this regard.

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): I wish to share time with Deputy Noel Treacy.

An Leas-Cheann Comhairle: Is that agreed? Agreed.

Deputy Peter Power: This debate has been characterised by a less than scrupulous adherence to the facts surrounding the matters at stake. Some fundamental points need to be made before a detailed debate on the motion.

The criticism by the Opposition and much of the media is focused on the public sector pay cuts imposed in the December budget. However, this presents a misleading picture of what happened in the public finances and public sector take-home pay in the past 12 months. Last year, we did not have one but two budgets, introduced in extraordinary circumstances. Both fiscal-type budgets involved serious reductions in pay for civil and public servants in eight months. One, however, cannot examine the effect of the December budget without examining the April budget.

This time last year, as the Minister for Finance pointed out, serious questions were raised about Ireland's ability to make its loan repayments in the international financial and sovereign debt markets. Then when Exchequer returns stood at €32 billion, Ireland had to borrow €26 billion which was unsustainable. If allowed to continue it would have become untenable not in the medium or long term but in months. To dig our way out of that hole required great determination and courage, as shown by the Minister for Finance, Deputy Brian Lenihan. Then Ireland was portrayed as the sick man of Europe. Last weekend I looked at European financial reports which all focused on the serious problems in the public finances of Greece, Spain, Portugal and, to a lesser extent, Britain but not Ireland.

Any criticism of the Government's policy cannot be focused on the December budget alone but on both. Those who have had serious reductions in their salaries and tax increases will look at their take-home pay. The April emergency budget saw serious increases in taxes and the introduction of a pension levy, imposing serious hardship on everyone, including civil and public servants. The budget was introduced in emergency circumstances with the sole intent of stabilising the public finances while the second budget in December dealt with the expenditure side most severely. It did cause severe hardship for people across the country.

We must examine the cumulative effect of both budgets. Comparing salaries in 2008 to those in 2010, a Secretary General at level I saw a 33.9% reduction in net salary while at levels II and III the reduction was 29.7% and 28.8%, respectively. For a deputy secretary, it was 27.3%; assistant secretary, 24.9%; principal, 19.3%. However, for a clerical officer at the standard scale the reduction was 7.3%. To claim those in the so-called lower grades in the Civil Service, a term with which I am not particularly enamoured, were asked to contribute more than those at the higher levels is grossly misleading and does no one any service. Of course I would expect it from the Opposition, but I would ask the media, in particular, to pay more attention to the fact that those on the higher reductions of 33%—

Deputy Richard Bruton: I note the Minister of State's expectation of the Opposition was such that he did not bother to come in to listen to the debate.

Deputy Peter Power: —but those on the clerical level—

Deputy Richard Bruton: He had decided what the Opposition would say beforehand.

Deputy Peter Power: Obviously, I listened to what the Opposition stated earlier on—

Deputy Richard Bruton: He did not.

Deputy Peter Power: —and it was characterised by a misleading of the facts. The problem here is that these are the facts. The facts, I would readily accept, are simply not capable of being explained in the modern 30 second media cycle. It is not possible to do so.

Neither do I accept that these sit easily with the increasing tendency towards the politics of populism that is exhibited increasingly on the Opposition benches. I detect clearly that the public is getting a little wary of the wafer-thin veneer on Opposition politics and policies such as they are. When they look at the facts, they see, as the Minister, Deputy Brian Lenihan, stated, that the severe budgetary measures we are taking are having a real effect. This is even the case in the international community where they were saying Ireland 12 months ago was the sick man of Europe unable to pay its way, with a big question mark over its sovereign debt and downgraded by the rating agencies. Twelve months later, because of this resolute action involving the severe contribution made by everybody, and particularly public servants, we are

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no longer in that position. That is to the credit of the Government and that should be acknowledged.

Every progressive tax system in the developed world is based on a number of simple core principles. First, the system ought to be transparent so that the taxpayer knows exactly what he or she pays and what everybody else pays, and it is clear and straightforward. It was not always the case. Second, the system does not discriminate unfairly between different classes of individuals and does not discriminate unfairly within particular classes of individuals. Third, and the most important feature which is accepted internationally as being a benchmark for all modern taxation systems, it must be progressive in the sense that it is progressively more burdensome on those who get paid more than those who get paid less, that taxation increases are increased proportionately as one goes higher up the scale. The figures for the take-home pay of civil and public servants in this country bear this simple fact out, that the measures the Government has introduced, unpopular, difficult and politically difficult to take though they were, have all the characteristics of being consistent with those principles of international budgetary parameters.

Despite the facts which no doubt bear out the Government's position, there was a preferred approach to all of this. Clearly, the Government did not want confrontation. We would have preferred to have a common approach with all the stakeholders, particularly the public and civil servants.

I hope this debate highlights two matters, the first of which is a progressive tendency in the Opposition benches towards pure populism at the expense of any fact. Second, it points out that, progressively, the difficult measures taken affect more those who get paid more — Secretaries General, minus 33.9%; those on the clerical officer level, minus 7.2%. I accept 7.2% is a great deal if one is on the clerical officer level. It is a big imposition, especially if one is struggling to make ends meet, but do not insult the Irish electorate and the Irish people by trying to portray repeatedly through the media, which in many respects is willing, the fact that those who get paid more are not shouldering their fair burden; they are actually taking greater cuts than those on lower pay. Those are the facts of the matter and I would ask the media to portray them more accurately in future.

Deputy Noel Treacy: I support the amendment as proposed by the Minister for Finance. I pay tribute to him for the calm, reasonable, humane and equitable way that he has dealt with this situation.

We have a serious constitutional responsibility in this House to distribute the resources of the State as available to Government and this House has a mandatory responsibility under the Constitution to distribute those resources. The challenge in a situation where there are diminishing returns is to distribute diminishing resources in as fair and equitable a way as possible taking into account the first calls that are on those resources. The Government has addressed this in the past two budgets, and more particularly has given clear leadership in enunciating to the nation at large the responsibility that we as a nation, as a people and as a society led by Government, collectively, on a consensual basis, agree within this House on the best way possible to distribute those available resources. If the Opposition constantly opposes for long-term, short-term and medium-term political gain the Government on what is a constitutional responsibility, it is only confusing people on the Government's responsibility to this Parliament.

I see from the motion that there is even confusion within the Opposition's own ranks. One of those whose name appears on this motion is no longer a Member of this House. He has left in a state of frustration because, he says, there was no consensual approach within Opposition to supporting Government to achieve that which was best in the interests of the common good.

That is basically the theme of the confusion and the demoralised state in which this young man has left this House. If that is the position with somebody who has come in to give economic advice to one sector of Parliament, and he leaves in that state of confusion, how will the people of Ireland, watching and listening to the Opposition's utterances on a continuous basis over the past two years, feel about the role of this Parliament in discharging its constitutional duty to the people of Ireland on a consistent basis when that confusion reigns?

There has been a strong commitment over the years on different occasions when there was a crisis in this nation that politicians together in Parliament, elected by the people with a sovereign mandate to discharge their obligations to the people, would do so in the interests of that which was best for the people. The Minister, led by the Taoiseach, stated clearly over the past two years that faced with the challenges we had, political leadership was required and he was the first person to come forward and say that at the highest level of Government and the highest level of public service there would be a requirement to take a one-fifth cut in salary, never done in the history of this State previously. That is real leadership and real commitment.

We take into account then the fact that the Minister for Finance came in and produced a budget here prior to Christmas clearly enunciating the resources available, the challenges that were there and the requirements on us as a Parliament under the Constitution to discharge our duties. That man, who put that budget before this Parliament, had it ratified by Parliament and had the legislation subsequently ratified by Parliament, went back and looked at how it was best, fair and reasonable to deal with the resources of State taking into account the need to reduce public sector salaries. Where there was a distortion, an unevenness and an unfairness at a particular grade of public servant, he examined that in totality and specifically, had consultation and ultimately realised that to be fair to everybody the burden had to be shared on an equitable basis taking into account, like the State itself, the capacity of the individual public servant grade to take the required reductions in order to——

An Leas-Cheann Comhairle: The Deputy has one minute.

Deputy Noel Treacy: Is dona liom on briseadh seo. Let me say that what has been done has been reasonable, has been fair, is constitutionally correct and is an acknowledgement that the Government wants to be fair to the public service, recognising the role of public servants in society, their contribution to the country, their requirement that they, like all of us as parliamentarians and politicians, ensure that we give the best value for money taking into account the resources that the people of Ireland can afford to give us through revenue inflows into the Exchequer at any particular time, and that we must be fair to everybody. The Minister, Deputy Brian Lenihan, has done an outstanding job in sustaining that fairness and that equity, and I fully endorse this amendment.

Deputy Joan Burton: Before we go into what happened and the sequence of events, it is very important that Fianna Fáil recalls the circumstances in which it brought the country, for the second time in as many generations, to the point of economic ruin. The reason it has had these extraordinarily difficult budgets, which have imposed very heavily on low paid people, people on social welfare, people in receipt of child benefit and people in receipt of early childhood payments, is that it destroyed the economy. During this crisis Fianna Fáil has taken a relentless approach, assisted by its public relations people, in trying to drive a wedge between the public service and the private sector. To some degree, it has been successful in that regard.

It was Fianna Fáil that blew up a fantastic housing boom from around 2000 when it created a vast range of tax incentives in regard to property and lending. The consequence of that was that two civil servants or two public servants on relatively modest wages — for example, a nurse married to a teacher — ended up in a position where, in an inflated property market,

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they could barely afford to buy a house. For generations, buying a house was a legitimate aspiration of people on modest middle incomes not only in the public sector but in the private sector.

It is foolish of the Government not to look back at how it brought the country to its knees and how it brought people to the pass it imposed on them in the last two budgets. Civil Service salaries rose very sharply on the back of a situation where ordinary civil servants found it difficult to buy a house. It is important to remember that.

The consequence is that many public servants at high and low levels are heavily indebted because they bought houses and apartments at the height of the property boom when the frenzy to get on the property ladder was so strong. The consequence of that is that a significant number of public servants of all ranks are trapped in negative equity and will bear the brunt of mortgage increases. I am sure the Minister and the Minister of State, who have spoken, have had people call to, and e-mail, them to tell them of their difficulties, in particular if the negative equity is accompanied by debt. Fianna Fáil will correctly say it never told people to borrow to buy houses but, of course, Fianna Fáil through its friends in the construction industry told people to get on the property ladder. It is important to recognise what drove the huge level of pay increases.

In regard to the events following the Minister's Budget Statement and subsequently, two lawyers for the Government have spoken lawyer talk to explain away everything and say black is white. That is what lawyers are trained to do. I congratulate the Minister, Deputy Brian Lenihan, and the Minister of State, Deputy Peter Power, for brazenly not acknowledging the crux of this problem.

The crux of this problem lies with the Minister for Finance, the Taoiseach and, to a lesser extent, the Tánaiste and Minister for Enterprise, Trade and Employment. When the Minister for Finance made his budget speech, he clearly laid out that there would be reductions in public service pay and that those reductions would bear less onerously on people on lower salaries in the public service. As the Minister said, there is a large number of people in the public service on €50,000 or less per year. One must bear in mind that many of them have debt problems in regard to mortgages and other debts. Like other people on low wages, they are hard pressed.

When the Minister declared — it was one of the headings in the budget — that those who are well-off would bear more of the burden, English being what we all understand, we thought that meant the people in the higher grades would take a proportionately higher hit. I do not believe anyone wants to see people take a cut in their wages. It is painful for Members of the House who have had to do so and, of course, it is painful for everybody in the public service. However, it was the deceit inherent in the presentation which is the cause of the public grief and anger.

The Taoiseach, rather like the Minister for Transport, Deputy Dempsey, on another occasion, said it was “only €5 million”. When PPARS was a fiasco, the Minister for Transport, Deputy Dempsey, famously said it was only €155 million, we were good for that and that it did not matter. However, when we are in such an extreme situation, it matters a great deal. It is the inherent unfairness.

In regard to the pay and conditions of Assistant Secretaries, the Tánaiste and Minister for Enterprise, Trade and Employment said in the House that the review body on higher level pay indicated the bonus was indicatively part of their salaries. She accepted that a further reduction which would equal a reduction of 20% would be disproportionate. However, the review body stated, “we consider that, in the light of the very serious economic and fiscal environment, the developments in relation to such schemes [bonus schemes] in the private sector and our

recommendations that reductions in remuneration are warranted, the continuation of performance-related awards cannot be justified in the current climate.”

It may be that the Government, in setting up the performance-related bonus scheme in 2001, was at fault. It called it “a bonus”. A bonus generally means a reward for exceptional service, dedication and achievement of required outputs where they are measured. On examination, it appears almost everybody got a bonus. The Minister for Finance has now backtracked and said, it was an inherent part, or as the Tánaiste and Minister for Enterprise, Trade and Employment said, it was an indicative part — I still do not understand what that means — of the pay package. Lower paid civil servants hear their bosses get bonuses. A bonus means something for exceptional service. Perhaps a bonus could be given to people who never have a sick day or to people who get an output over and beyond a required level of service. What happened with this was the absolute depressing appearance of a sleight of hand for a group of civil servants who had the Minister’s ear.

What is even more disturbing is that remuneration package carries to many other grades. When I spoke about it at the beginning, people did not appreciate it applied to directors of service, county managers, people in the HSE and so on. People in the HSE get bonuses as an indicative part of their salaries. Many people find that difficult to understand because the level of dissatisfaction with the HSE is, at times, very extreme.

In another sleight of hand, the HSE is demanding of bodies funded by it under the Health Act 2004 to offer cuts of 21.5%, including salary cuts, or to find the cuts by other measures. The question again arises for the Minister. He has not been forthcoming on this. Does that mean that the people in the HSE-funded bodies at the affected grades of Assistant Secretary and Director of Service also have a different formula to people in the lower levels or do we just have a cut in services? The House and the public have been treated with a lot of contempt. A lot of damage has been done by this and by the Minister in the first budget when he made grandiose announcements about reductions in the pay of Deputies and Ministers which turned out not to apply for a long period of time. They applied afterwards but did not apply at the time.

On budget day the Minister was already fully aware of the situation and had been briefed that there was an issue relating to this group of civil servants. He could have done two things. He could have stood by what he said or he could have been honest and said these reductions will apply, except in the case of certain categories where they will be calculated in a different manner. At least then we would have had some honesty.

Deputy Aengus Ó Snodaigh: I support the general thrust of this motion and also call for support for the amendment in the name of the Sinn Féin Deputies, which demands that the Government reverse the pay cuts imposed on public servants earning less than €100,000 per year. The decision before Christmas to reverse the cuts on the higher paid public servants was the equivalent of rubbing salt into the wounds of those who are on lower salaries, for many of whom the pay cuts mean they are finding it increasingly difficult to make ends meet.

The Minister’s rationale for the decision, which is repeated in the amendment to the motion, is that a small number of the people concerned had already lost bonuses, does not stand up given that for others on lower rates the budget cuts were also the second cut in income which they had imposed on them. We should not forget that such people had no overtime or possibility of it.

I noted the self-congratulatory amendment tabled by the Minister, which is an insult to public servants and all those who have been hammered in recent budget cuts. In it he said he notes the cumulative impact of the reductions in public service pay and refers to assistant secretaries, deputy secretaries and others. It does not note the cumulative impact of the reductions in

[Deputy Aengus Ó Snodaigh.]

public service pay for the tens of thousands of public servants who are now living on the threshold of poverty or below it.

It is madness that recent budgets have led to the crazy situation whereby the State admits it is cutting pay to save the Exchequer money while forcing people to accept slave wages. They are slave wages because the same State admits it by giving the families concerned family income supplement. That is the proof of the matter. It is a ludicrous situation that the State cuts someone's income, supposedly saves taxpayers' money, and then finds itself having to pay it back through social welfare, which incurs administrative costs. In case an idiot on the other side of the House does not understand the situation, I support a reversal of the cuts to public servants' pay and not a change in the threshold for social welfare payments.

Once again I urge the Government, as I did when the two budgets were introduced last year, to look elsewhere. My party made a substantial submission to the Government on where the Exchequer could find the necessary savings of €4 billion. We also went beyond that and proposed how the State could find the money to create jobs and increase the tax take by employing people and getting people back to work. The Government does not understand the situation. There are very few Deputies on the Government benches who have any understanding of what it is to be unemployed for any length of time or to be a lowly paid civil or public servant on the lowest grades, including general operatives and clerical officers who are trying to make ends meet to pay for overpriced housing which they were encouraged to buy during the Celtic tiger years because the alternative was to overpay in rent.

One can hear from the Government that the next target is the minimum wage. The Government and its friends in ISME and IBEC are already building up a campaign to target and lower the minimum wage. There is a logic to such a decision from the Government's point of view. If it is willing to kick its public servants and slash their incomes, why not go after another layer of society?

The politics of this situation are apparent. Once the Government has broken the back of public servants and public service unions on pay cuts it is set to continue that right-wing agenda to force wages down to the lowest level possible. The only people who benefit from this are speculators — na machnaitheoirí. That is why it is important that we go well beyond legitimate criticism of the Government for its hypocritical climb down on the cuts for a small number of higher paid public servants and insist, as our amendment does, that the cuts for all public servants earning below €100,000 per year be reversed. Such a view is not incompatible with the wording of the motion. In our amendment we are merely attempting to turn the sentiment expressed towards lower paid public servants into a meaningful demand.

I hope the Fine Gael Deputies, excluding one who still has his name on the amendment, will accept our proposal as will other Opposition Deputies, including Independent Deputies, so that the word goes from here to the Government benches that we are not accepting this and will oppose any move which excludes those who are higher paid in our society from taking the full share of cuts which are deserved or required. It is not just about the higher paid public servants but also many others in our society who have lived and still live well beyond the means which any person should. The greed in our society which was perpetuated and encouraged during the Celtic tiger years is still reflected in Government thinking.

There is a clear dividing line between those who believe that those who are least responsible for and able to afford to pay for the current crisis are forced to carry the burden and those who do not. The attitude of the Government is to make the poor pay for the wrongs and sins of the speculators, bankers and financial planners in the Government. There is a difference between it and those of us who oppose such an approach and have proposed an alternative.

This motion highlights the disparity between the manner in which the Government treated those at opposite ends of the salary spectrum in the public service. It can go beyond that if Fine Gael accepts our amendment calling for the reversal of the pay cuts imposed on public servants who earn less than €100,000.

Debate adjourned.

Finance Bill 2010: Second Stage (Resumed).

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

An Leas-Cheann Comhairle: Deputy O’Donnell is in possession and has eight minutes remaining.

Deputy Kieran O’Donnell: In the debate of the past half-hour on the budget we heard from the Government which, in my view, is being disingenuous with its figures, basing everything on net rather than gross amounts. Net can be different for different people, depending on their circumstances, the credits for which they qualify and whether they are married or single. The Government appears to have made a decision and is now going back to plug the holes, working from the decision backwards rather than having prepared that decision. The assistant secretary grade has had a 3% reduction but in essence the Government has given a 5% bonus because 8% should have been applied. If one were looking for consistency that is the kind of thing one should look at. If one considers a gross salary that includes average performance-related pay, it appears that bonuses were paid to everyone at different rates but at an average of 10%. If that is the case why not deem it to be salary? One cannot have it both ways.

Regarding the Finance Bill, I refer specifically to the Limerick regeneration project. I brought the matter up earlier with the Taoiseach, saying I would ask the Minister for Finance to consider tabling an amendment to deal with the provision of tax designations for the regeneration areas in Limerick and some adjoining areas to encourage private investment to take place in those areas. In addition, I would like to see the Government providing the funding that was committed for the Limerick regeneration project over two years ago. It is at a very sensitive stage and people are losing morale. This €3 billion project was launched amid fanfare by Government, with €1.7 billion to come from the State and €1.3 billion from the private sector. Proper government is about providing an environment where the private sector can flourish. One of the elements in the Limerick regeneration project should be to provide tax designation for investment within the areas in question.

In his speech the Minister raised a number of points, one being the solidarity bond. It is critical for the Minister to indicate in his response exactly how he sees the funds to be raised by solidarity bonds being used. Fine Gael has launched a ground-breaking document, New Era, which proposes significant job creation potential for up to 100,000 people in the areas essential for competitiveness in this economy, namely, water, energy and broadband. When we look at competitiveness we must look at it in the context of job creation. There are three elements to driving the economy forward. These are the three Cs — confidence, credit and competitiveness. This Finance Bill and the budget that preceded it lack any incentives in that area. We need to see the Government addressing these issues across a range of areas. Fine Gael proposes reduction of employers’ PRSI for employees. We considered halving the lower rate and taking 2% off the top rate which would reduce costs for employers.

Energy costs are related solely to Government policy. In 2001 our cost for industrial electricity was average within the EU. We are now 50% below that average, with the second-highest cost in the EU.

[Deputy Kieran O'Donnell.]

Research and development tax credit should be available for offset against PRSI.

The air travel tax is ludicrous. I would love to know if a cost benefit analysis was done on the amount of money it brings in and how much has been lost in terms of people coming into the country, hotels, tourism and the general economy. In Limerick, in the mid-west and along the western seaboard we have suffered greatly from this tax and this fact has been reinforced by people such as Michael O'Leary.

The issue of credit flow to small business is critical. In a study done by the enterprise boards 96% of small businesses stated they have more difficulty accessing credit now than they had six months ago. This is having a detrimental effect on small businesses which are the lifeblood of the economy. The multinational sector is extremely important and there are measures dealing with it in the Bill that we will look at in greater depth on Committee Stage. I welcome that but we must have a rounded approach.

My worry concerns vision. My vision of Ireland Inc. is that in terms of sustainability it must be driven towards the SME sector. The multinational sector is vital in the provision of jobs but we are no longer a low cost economy. We must provide an environment where an entrepreneurial spirit can flourish. The rudiments for that are not present. There must be a practical edge to the way we deal with the SME sector. It is critical that we have corporation tax exemption for the first two years for limited companies but this should be extended to sole traders. The majority of people who set up in business set up as sole traders and entrepreneurs, not as limited companies. We want a situation where people will set up in business and become self-employed. Shortly, probably over the coming summer, it is conceivable that we will have 500,000 people on the live register. Of those, 250,000 have signed on in the past two years. That is an indictment of Government policy, apart from global factors.

We must provide an environment that gives competitiveness and brings confidence back to people so that they will spend again. They will do so only if they feel they have security in their jobs. We must be export driven. We are a small open economy. In 2003 we were that economy. When Deputy Richard Bruton was Minister for Enterprise, Trade and Employment, we were that economy. From 1997 to 2003 our exports increased. In 2003 they decreased.

Acting Chairman (Deputy Noel O'Flynn): The Deputy is way beyond time.

Deputy Kieran O'Donnell: Subsequently we had the property bubble and are now suffering for it. If I might encapsulate the situation, we need to have a vision for the SME sector so that it can become the driving force of the economy. It employs 800,000 people, with 200,000 others involved. Small and medium-sized enterprises are the future, along with what the multinational sector provides. The vision must be to have an entrepreneurial culture.

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary): I welcome the publication of the Finance Bill and the chance to speak on it briefly in the House. The Bill, which provides a framework for the budget produced in December, has a number of very important measures, namely, a budget which will provide €1 billion and offers activation for employment during 2010, including a €20 million fund for activation measures specifically targeted at people aged under 35.

I welcome the commitment in the Finance Bill to framing our legislation to encourage sharia finance to this country. We have an amazingly good standing as a country within the Muslim community, particularly in the Middle East. Last year, I had the pleasure of travelling with people from the College of Surgeons to see some of their work in Bahrain. Their work and the work of our medical community generally in the Middle East, as in other countries, will give

us a great platform from which to exploit this source of finance, and to use our good standing and geographical location as a natural base for that finance. The commitment in the Finance Bill to introducing those measures is welcome and should be exploited.

With regard to the new taxes proposed in the Finance Bill, I am intrigued by the level of discussion on the increase in VAT on bin charges. As someone who lives in a county where there is no choice and where there has been no local authority involvement in bin collection for some time, I have had to pay VAT on bin charges for the past five years. As far as those of us who pay those charges are concerned, this proposal levels the pitch in the interest of those who have no choice in the matter.

I endorse the comment made by Deputy O'Donnell — I know he will repeat this on Committee Stage — on the provisions in the Bill to attract further talent from the multinational sector. He is correct with regard to his remarks on small businesses but we must realise the engine of our economy comes currently from the multinational sector and the work it is doing, particularly in the area of research and development. The more we encourage those involved in this sector to locate their human talent and physical operations here, the better our chance of exploiting that human talent for our small business sector.

Deputy Kieran O'Donnell: I welcomed that.

Deputy Dara Calleary: We need to challenge ourselves to come up with a way, for example through partnership schemes or networking, whereby that talent will engage with the small business sector or, as it did in the first wave of the multinationals coming to Ireland in the 1970s, become the small business people of the future. This measure will help that. The solidarity bond is a very good response to the current savings phenomenon that seems to have taken hold in the country. I hope the Minister will ensure it is as attractive as possible to savers and provides the security for which they are looking. With regard to comments on the small business sector, a number of initiatives were launched in the budget, including the employment subsidy scheme, in which €135 million will be invested this year. The scheme has been hugely successful, with 2,700 applications. These are currently being assessed and will guarantee 80,000 jobs. This is the kind of encouragement business needs. It is hoped we will be in a position to expand that scheme next year.

There is vision in the Finance Bill. There is a vision to promote human talent and to exploit different sources of revenue and new markets, such as the finance market to which I referred. There is a vision in it for employment. What we need now, across Departments and the House, is to exploit that vision and put it into action in our various spends. The Minister has given us the leeway to do that. It is now up to those of us in Government to ensure we see this through over the next 12 months.

Earlier in the debate we heard ongoing criticism that the Bill does not do enough for the economy and fails to recognise there is still a substantial capital spend contained within the budgetary programme for 2010. That capital spend will be spent on roads, schools and in the productive sector. By exploiting that sector and the fact we are now in a situation where we can get lower prices, we should be able to maintain the physical investment and ensure job creation arises from that €12 billion. We must ensure jobs are created to the best possible employment standards and that there is no race to the bottom within the tendering process.

Minister of State at the Department of Foreign Affairs (Deputy Dick Roche): Finance Bills, by definition, are dusty pieces of legislation. This is no different and there are dusty areas in it. However, it is a Finance Bill which touches on some very important measures, some of which are very subtle but which will have a major impact. It is important for a Finance Bill, particularly in the current climate, to strike the right balance. Therefore, it needs to be more

[Deputy Dick Roche.]

than just a book-keeping exercise. This Bill is certainly more than that. The Finance Bill must operate within the difficult economic parameters within which we find ourselves and this Bill does this. It must also contain measures that enhance Ireland's attractiveness as a place to do business and create jobs. I accept the point made in Deputy O'Donnell's contribution that SMEs and their inventiveness have a particular role to play. I also agree with the Minister of State, Deputy Calleary, that we must address both sectors

Deputy Kieran O'Donnell: I agree.

Deputy Dick Roche: There are particular measures in this Bill to deal with innovation, research and development, which will be very important. I will touch on some of those measures shortly. The Finance Bill must continue the task of stabilising Ireland's public finances and do so in a way that is equitable. The Bill before us ticks all the right boxes in terms of all of these issues. Of course, as with any Finance Bill, we can always think of improvements that could be made. The Minister has shown he is willing to listen and, when provided with persuasive arguments, reverse previous positions.

I would like to turn now to some of the specific measures of the Bill. I welcome the wide range of provisions in the Bill that will assist enterprise, some of which are subtle and new. Those that will assist innovation, research and development are particularly important in terms of creating long-term and sustainable employment and of putting Ireland back on the track to full recovery. The Bill will amend the existing research and development tax credits to cover situations where a company carries out research activities in different facilities or separate geographical locations. I am pleased the Minister has taken this step. It may not seem a huge step to many, but it is critical, particularly for the pharmaceutical industry. As we are all aware, over the past two years and in the coming years, the pharmaceutical industry has and will go through significant change. It is going through a period of consolidation. It is important therefore that bureaucratic procedures which applied previously in this area should be wiped away. The Minister has proposed changes which will be welcomed by the industry, particularly in this period of consolidation. I welcome the change and the fact it indicates the Minister was willing to listen.

I also welcome the enhancements of the existing tax treatment of dividends received for companies here to increase the attractiveness of Ireland as a place for economic activity in general. The provisions in the Bill in this regard are complex, but what the Minister is seeking to do is to tap a new possibility of bringing financial services into Ireland and consolidating the grip we have in this area. The amendment he proposes here will mean, for example, changing the current tax rate of 25% on foreign dividends paid out of trading profits from countries with which Ireland does not have a tax treaty. This will operate to the benefit of Irish enterprise. The Minister has introduced further complex measures that will have the effect of simplifying the arrangements under which foreign dividends are treated as sources for trading or non-trading profits. He also provides tax exemptions to foreign dividends forming trading income for portfolio investment. I suggest these measures will have a significant effect, particularly in the financial services area.

The Bill also gives effect to an important change in the remittance scheme introduced in the Finance (No. 2) Act 2008. The scheme will now cover EU and EEA nationals and the period during which they must be based in Ireland is reduced from three years to one year. This will greatly improve Ireland's ability to attract high-skilled individuals who are innovators in their own field and who will act as magnets to attract economic activity. The Bill also contains important measures aimed at enhancing Ireland's attractiveness as a base for internationally traded services, particularly financial services. The Bill's provisions are aimed at bringing clarity

with regard to the tax treatment applying to foreign funds that are managed from Ireland under the recent EU directive, Undertakings for Collective investments in Transferable Securities, UCITS. The change in the Bill is both prudent and timely. This is a complex area which has not received much attention in the media. Nonetheless, it is an area that will be more significant in the future.

I would mention two measures that are particularly welcome in terms of job creation. First is the extension of the existing scheme of tax exemptions for new start-up companies over the first three years of operation. Deputy O'Donnell pointed out it is important we do something to help small and medium enterprises. This measure is aimed specifically at small and medium enterprises, which by nature are small on start up. The existing scheme is now to be extended to those who commence trading in 2010, which I welcome.

I also welcome the extension of the scope of the existing scheme of capital allowances for energy efficient equipment to cover additional technologies, including refrigeration and cooling systems, electrical and mechanical systems and catering and hospitality equipment. In this difficult period, it makes sense to incentivise the application of energy efficient and clean technologies, which this section of the Bill will achieve.

The Bill also contains a number of more down to earth provisions. We all spoke in this House in the past year of the extraordinary situation that had applied in the motor industry. An industry that had been booming during the previous five years, perhaps excessively so, had come to a juddering halt. Thousands of people all over the country were losing their jobs in this industry. I realise that one can make an interesting economic debate about issues such as the scrappage scheme and whether it would really create jobs. However, the important point about the scrappage scheme that is in place is that it will help an industry that was brought to its knees by the end of the spend. The measures introduced in the budget are already beginning to have a positive effect. While one could ask whether the scheme is wise or the best way to deal with this issue, it has called a halt to the decline in the industry and has had a stabilising effect. Therefore, I suggest that whatever shortcomings schemes like this may have, it is welcome, particularly in the circumstances of that industry.

Moving from general economic issues to more domestic ones, I also welcome the extension of mortgage interest relief for qualifying loans where entitlement to mortgage interest relief was due to end in 2010. Every one of us in the months since the previous budget will have become aware of people for whom the ending of the relief would cause real difficulty. Given the dramatic changes that have occurred in the Irish property market, extending the relief to the end of 2017 is very welcome.

On the issue of hard-pressed mortgages, the Minister's efforts to extend the provisions of the code of conduct on mortgage arrears is something we would all welcome. We have all met people who are in mortgage arrears. It is an issue that is now presenting itself for the first time in political clinics, irrespective of which side of the House one is on. Under the existing arrangements, the banks and building societies which were registered with the Financial Regulator under the code, or other lenders covered by the code, had to make every reasonable effort to agree an alternative repayment schedule for borrowers who found themselves in difficulties. They were required to wait for at least six months from the time of the first arrears before they commenced court actions.

I take the view, as would many others in this House and not just on this side, that banks and building societies, which were throwing out money at extraordinary levels, should be certainly more patient with customers. I strongly support the extension of the stay period in the code to 12 months — in fact, a case could be made for extending it beyond 12 months because it must

[Deputy Dick Roche.]

be asked what banks, building societies or other lenders would do with any properties repossessed given the current state of the of the market.

I also strongly support the efforts that have been made recently, somewhat belatedly, by the Irish Banking Federation when it reached a protocol with MABS with regard to couples and house purchasers who find themselves in difficulties. The arrangements which are coming through in that system will provide help to people who are in real difficulties. When I was in the Custom House as Minister for the Environment, Heritage and Local Government, one of the interesting statistics that came across my desk is that the last thing on which the Irish people in general will default is the payment in regard to their houses. Given the excessive way in which the market developed, it is right, prudent and proper that the degree of support to help people to hold onto their homes should be extended.

I also believe firmly, as do other Members, that not only should the stay be extended from six to 12 months but that it should apply not just to the traditional lenders — the banks or building societies — but to the non-traditional lenders who entered the market in Ireland in recent years. I look forward to the regulation and the code extending to them because certainly some of them have behaved in a predatory way, and they should not be given any support in their activities. I am pleased that on a number of recent occasions in the courts, some of these more predatory actors have been told to put a halt to their gallop.

There are three other arrangements in the Bill to which I wish to extend a particular welcome. First, I welcome the idea of creating a national solidarity bond. Many Members of this House have mentioned this. I believe I remember Deputy Bruton referring to it, although I am not sure what he called it. I am willing to give credit to him because I have been defending him——

Deputy Richard Bruton: We called it the NewERA bond. ICTU called it the national recovery bond.

Deputy Dick Roche: Whatever we call it, it is a good idea and it has had a general welcome and general appreciation. I have been defending Deputy Bruton on local radio.

Deputy Richard Bruton: Defending me.

Deputy Dick Roche: Yes. Notwithstanding the occasional run-ins we have in this House, I still recognise a good idea when I see it. This is a very good idea, which I welcome in general.

Of course, one could argue that the last thing we need is another savings scheme because savings are at an extraordinarily high level and we need to encourage people to spend, although perhaps not as profligately as they did in the past. The provisions of the Bill which will facilitate the introduction of the bond are positive. At present, as Deputy O'Donnell said, people are saving at unprecedented levels. While this has had the effect of depressing demand, if savings are available, they must be used to enhance the productive capacity of the State. A solidarity bond, managed by the National Treasury Management Agency, would be clearly more beneficial to society as a whole than a speculative investment by banks or financial institutions whose sole focus is private wealth rather than the public good. I look forward to the details of the bond being published, and I particularly hope they will focus on enhancing the creation of infrastructure. As the Minister of State, Deputy Calleary, said, we already have a substantial capital programme, but if a bond were to be used to enhance that, we would all welcome it.

A second novelty in the Bill which should be mentioned is the introduction of the domicile levy of €200,000 on all Irish-domiciled individuals who are Irish citizens. This will ensure that the super-wealthy make at least some contribution to the operations of the State. Persons liable

to the levy will have to pay it regardless of where they live or where they are tax resident. This is an interesting innovation and I would be very interested to see the detail as it comes through. We will all be interested in assessing it in a year.

The third novelty in the Bill which I welcome is the provision which would allow for the introduction of a statutory scheme for providing for voluntary deductions for members of the Judiciary. I have never taken the view, nor do I believe many people in this House share the view, that the general provisions in the Constitution which were aimed at protecting judges from oppressive activity by the State were ever intended by the drafters of our Constitution to exempt judges, who after all are citizens, from the general taxation provisions or other levies or impositions that the State must from time to time place on its citizens. Taxes are the price we pay for living in a civilised society. That price has to be paid by the most powerful as well as the most junior.

Having said that, I want to acknowledge that the bulk of judges have made their contribution to the pension levy and have come into it in a voluntary way. However, while that is good, it is not good enough. All citizens, whether they are in the Judiciary, in this House, the other House, the Presidency or otherwise, have a responsibility to make their contribution.

I have always taken the view that flexibility is a sign of strength and it is never to be taken as a sign of weakness. I particularly welcome the decision of the Minister to reverse the decision on the 21.5% VAT rate. It takes a strong person to say “No, that was not a good decision”, which is what the Minister has done.

I welcome the Minister’s decision to remove the life assurance levy on pensions products. During the past 12 months, I became aware of concerns that the levy could discourage investment in pensions. It is critical that investment in pensions be encouraged. Ireland, like the entire world of developed nations, faces the reality that population aging is increasing. The Minister’s change and flexibility in this area is welcome.

In general, finance Bills tend to be dusty. While this Bill too has its share of dusty corners, it meets all of the requirements which I outlined at the outset. Is it perfect? Probably not. Few pieces of legislation that come before this House are perfect. The Minister for Finance, Deputy Lenihan, has shown that he is more flexible than has been any other Minister for Finance in recent times. He is flexible, willing to listen and willing to pick up a good idea and run with it.

The Bill reverses a number of previous policies and prudently extends others. It is a good Bill, on which I commend the Minister. I commend the Bill to the House.

Deputy Arthur Morgan: The Minister is listening to the bankers and not to anybody else.

Deputy Denis Naughten: I welcome the opportunity to contribute to this debate. I am disappointed with the Finance Bill 2010, which, while big in volume, in terms of detail contains nothing new. Although the Bill contains some positive measures, there is no clear thrust to it or clear objective in terms of what the Government is trying to achieve. It is but a reheating of the budget introduced before Christmas. The Bill provides no clear sense of direction in terms of where the Government is going and no focus in regard to job creation, which is hugely disappointing. The mantra of this Government is to cut support to those who cannot work, to take away the opportunity from those who want to work and to force those on low pay out of employment. This Bill does not seek to change any of that.

Where in this Bill is the stimulus plan to turn the economy around, get it off its knees and assist people back into employment? Sadly, the Bill contains no such plan. My constituency, no more than any other, has growing levels of unemployment. Unemployment figures for my constituency have increased by 155% during the past two years. This means that in real terms

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there are an additional 8,500 people in the counties of Roscommon and Leitrim on the dole queues. In a constituency, which has one of the smallest populations in the country, there are 8,500 additional homes without income. There is nothing in this Bill to kick-start investment or to encourage investment in infrastructure, which is urgently required. There is no investment in our people either.

One in every three men unemployed is under the age of 25. These people are signing on the dole with little prospect of getting a job. While this Bill should have provided some direction or focus in this regard, sadly, it has not been forthcoming. There does not appear to be any direction from Government in this regard. I discussed during the weekend the impact of this legislation on my constituency and county in terms of club football and so on. Many young people who would normally participate in the local club senior team have emigrated to London or further afield. The cores of communities are being decimated. While there were many ills associated with the Celtic tiger in terms of the economy during the past ten years, young people were at least able to remain living in their communities and to get involved in their local sporting and voluntary organisations. Sadly, all they are doing now is taking Ryanair flights out of this country to the UK and further afield. The Finance Bill copperfastens the focus of a budget that has resulted in 75,000 additional people becoming unemployed this year at a cost to the Exchequer of €1.5 billion to be obtained through cuts in social welfare payments and front line services. The lack of focus in this respect is hugely frustrating.

Another issue close to my heart is that of agriculture. I believe, as do many people in the country, that agriculture, which has traditionally been the backbone of the economy, has the ability to lift us out of the mess into which the Government got us. Rather than supporting agriculture and encouraging investment and the development of high quality premium food companies which can be world leaders, of which we have some and can have more with a little encouragement, this Finance Bill copperfastens as announced in the budget the carbon tax on farm diesel, which will have a direct impact on the competitiveness of agriculture and the farming sector. Without the basic raw material to support our food industry, we will not be able to provide the volume of exports needed. Members on this side of the House, the other side and among the wider public have stated that the only way we will get out of this recession is to trade our way out of it. While agriculture is the one sector of the economy that can assist us in trading ourselves out of the mess we are in, the policy has been to dumb down agriculture rather than support and develop it.

Another area touched on in part by Government in this Finance Bill is that of research and development. The Government is putting many of its eggs into this basket in terms of its belief that research and development and the smart economy can get us out of the current mess. There is no doubt that a focused co-ordinated approach can assist us. The report by Mr. Colm McCarthy questions the Government's investment in research and development, the number of PhDs being produced and the benefit of this to the economy. While there has been huge investment in research and development during the past ten years or so, one must question the benefit of this to the economy given the lack of figures in this regard.

A number of years ago, my colleague, Deputy Richard Bruton, and I produced for the Joint Committee on Education and Science a report on science and technology in education, which included a number of detailed and cost effective proposals. As usual, that report is now gathering dust somewhere. One of the recommendations was that a specific Oireachtas committee focused on the issue of science, technology and innovation be established to provide a forum which would allow people involved in this area to defend to Members of the Oireachtas how they spend their money and to explain on what they spend it. Coming from a scientific background, I must question my profession in regard to its lack of business focus. Deputy Michael

D. Higgins and I could probably debate some aspects of that. It is important that people involved in R&D set down a finish line in terms of their work, in particular in the science and engineering area. They should not engage in research for research purposes. While it is important we invest in basic research it is also important that the applied research is focused on an end product and that we have credible data to back it up. Sadly, however, that is not provided for. Far too much investment is currently focused on universities driving research, rather than having enough private enterprise involvement focused on having an end product, thus facilitating job creation.

Academic researchers should not purely consider the value of intellectual property, which may inhibit its commercialisation. They should also focus on the impact it can have on stimulating our economy, creating jobs and creating the new multinational companies of tomorrow. I was disappointed that the Minister did not take up the recommendation by the Commission on Taxation on the flexibility of R&D tax credits from private enterprise. The State is putting in investment so it is important to justify and explain exactly how that money is being spent and how it will be of benefit in the short, medium and long term. Private enterprise must also put in its fair share of investment but incentives and structures need to be put in place to facilitate and encourage that to happen.

I acknowledge the sections that encourage skilled professional people to come into the country. The Minister has reintroduced a tax treatment concerning foreign professionals coming into Ireland, but it is only scratching the surface. We will have to examine the matter in a far more detailed and focused manner. Up to now immigration has been perceived as people coming in and taking jobs. There is huge concern at the moment about that, but there is huge potential for immigrants to create new jobs here.

I read a report on Silicon Valley in California, which came about as a result of Asian nationals who moved to the United States and turned that idea into a reality. Last year, we saw the two young lads from Limerick who came up with a very good idea, but they could not get support from Enterprise Ireland. They went to Silicon Valley in the United States where they got venture capital support. That is an indictment of our own development agencies. These sharp young people could not get investment here, so it was better for them to go abroad. We should examine novel ways to compete. We should bring people with ideas into this country instead of putting barriers in their way, which is what we are doing now.

One practical example of this concerns the granting of permission to a non-EU citizen who wants to set up a business here. In order to get permission from the Department of Justice, Equality and Law Reform, they must have €300,000 in their back pocket and must also employ two EU citizens. Otherwise they will not meet the criteria for business permission and as a result their application is refused. According to the latest available figures, some 85% of all such applications were refused. I do not believe that we should allow anyone and everyone to set up a business in every corner of the country. However, if someone has an idea with a sound business base it should be granted business permission. It may only employ one person but it will take that person off the live register and it has a potential in the longer term to create four, five, ten or 12 jobs. The Government should look at the false barriers of red tape that have been created, which inhibit the creation of new employment.

The United States has been the expert front-runner in bringing new people into the economy to create jobs. In 2006, businesses started by immigrants in the USA employed 450,000 people with a turnover of €52 billion. That is €2 billion short of what we will pay out for NAMA. The United States is looking at new ways to attract such smart people because the world has become far more competitive. A new start-up visa system is being developed for those who wish to establish new enterprises in the United States. The authorities are looking at automatically

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granting visas to people who hold PhD qualifications in science, technology and other innovative areas.

A number of non-EU citizens are currently paying fees to study for doctoral qualifications here. They will then have to go cap in hand to the Department of Justice, Equality and Law Reform to seek permission to remain in this country. If they want to start up a business they will have to return to the Department again to seek business permission and guarantee that they have €300,000 as well as creating two jobs. That environment needs to change quickly.

We should send out clear and unambiguous information on the type of person we need in Ireland at the moment, as well as the type of supports we want to put in place for them. Information on labour market trends, job skills shortages and oversupply, as well as social welfare restrictions, is available in various Departments in an array of languages. However, it should also be available centrally on the web so that someone considering coming to Ireland will know what the structure is like. In addition, they could know about banking, insurance, the rules of the road and how to get housing. That could act as an advertisement to attract the type of people we badly need in this economy — those who can stimulate and develop small businesses. They would bring new thinking and ideas to our economy, which could nurture the new multinationals of the future, in the same way as Kerry Foods, Intel and Wyeth.

We are not, however, making an effort to cultivate such highly qualified people who have come through our education system and because they do not have an EU passport they are turned away and sent home. After such a significant investment by them and by our universities, it would make sense to hold on to such people and encourage them to stay here, thus helping to turn around the economy which is in a mess at the moment. That could provide some direction in assisting us to get the economy off its knees and begin to create jobs. That is why Fine Gael has set out detailed proposals to put the basic infrastructure in place that is needed in the economy, including water, broadband and energy. The economy will turn around at some stage, whether in six or 12 months, or two years.

It could, however, grind to a halt due to the lack of investment in developing basic infrastructure needed for the new economies of tomorrow. Energy will be crucial to that. My colleague, Deputy Coveney, has set out detailed proposals to ensure that Ireland will be a net exporter of energy in the years ahead, by putting in place infrastructure to create 100,000 jobs in the next four years. We need to have the infrastructure in place in order that we can capitalise on the upturn in the world and European economies. Sadly we have not seen any direction from Government in that area. The only thing Government has done is to ridicule the Opposition proposals to try to stimulate the economy and get it up off its knees. Deputy Bruton has set out in great detail proposals that would support small business by setting up a back-office investment bank that could provide the capital needed to the commercial banks to support businesses that are struggling trying to manage their cash flow. Surely it makes sense to try to support existing jobs rather than letting them go to the wall. We were told at the end of last year that the €54 billion going to NAMA, which my children and their children will need to pay back in coming decades, would bring the injection of capital needed into the economy. We now know that the Minister for Finance had in his back pocket the information from the IMF that totally contradicted that and clearly stated the money would not ensure capital would flow.

It is disappointing that the Minister has missed a golden opportunity with this Finance Bill, which we shall all regret in the long term.

Deputy Seán Ardagh: I wish to respond to Deputy Naughten's final remark on the €54 billion for NAMA which he claimed his children and their children would need to repay. The entire intention of NAMA is that it will get property at a discount and will, over a period of ten

years, sell that property and recoup that €54 billion plus a profit. It is not as a debt for him, his children or their children thereafter.

Deputy Denis Naughten: Does the Deputy honestly believe that?

Deputy Seán Ardagh: I certainly do.

Deputy Denis Naughten: The Deputy is very naïve.

Deputy Seán Ardagh: As a result of the budget, Finance Bill and the work the Minister has done in the past year we are going in the right direction in that regard. We have a very challenging economic situation at the moment. This budget will be a significant step in restoring stability to the public finances. The Minister for Finance was very brave and courageous in taking the steps he took in 2009. He initially took €5 billion out of the system principally through the pensions levy and a reduction in capital expenditure and then in the budget he made further adjustments of €4 billion. While such adjustments are difficult for some people, they have been generally accepted. There is no doubt the people recognise the Minister's courage, and as a result his profile and that of the Government have improved. As can be seen from the recent opinion polls, the people believe and have faith in what he did in the budget and as expressed in the Finance Bill before us.

We are in a very difficult borrowing situation, which is disimproving dramatically. Gross national product was €154 billion in 2008. The projection for the end of 2012 is €126 billion. The wealth of each individual in the country has reduced. Our standard of living has reduced. When we entered the EEC, the big talking point was that our income was at 60% of the Community's average. That increased to approximately 120%. We are now coming back to 90% to 95% of the EU average. That appears to be the stable sustainable position over the short to medium term.

Regarding the debt, there is a reason for expenditure having been cut and the adjustments having to be made. The country is spending far more than it is taking in. In 2009 the current expenditure was €45 billion and the total current revenue was €33 billion. That was an €12 billion balance. There was also a capital expenditure of nearly €14 billion. We are €26 billion in the hole since last year. That needs to be clawed back. Some of it is what one calls a structural deficit which exists because we — all the people of Ireland — allowed the economy to reach a stage where we were spending so much money because we had a lot of income coming in. Then suddenly our income reduced drastically. However, it is not as easy to reduce the expenditure. There is a structural deficit that needs to be dealt with in coming years. I understand the intention is that it be dealt with by 2014.

Deputy Michael D. Higgins: The Deputy should remember that McCreevy urged us to “party on”.

Deputy Seán Ardagh: I would hope that date would be set in stone rather than letting it go on any further. We owe it to our future generations that we, who gained the benefit of it during the Celtic tiger years, should deal with it in our time and not leave it for the generations of the future.

Having said that, the budget makes adjustments of €4 billion. Union representatives have appeared on television programmes claiming it would reduce demand and would push down growth generally. That is true to some extent, but because of the work the Minister did and the confidence it gave to the people on a domestic basis, yesterday's KBC Ireland-ESRI consumer sentiment index of the domestic market was higher than it has been in the past two years. There is that positive sentiment among consumers for spending. It has been stated that if they

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do not have the money they will not spend. We all know the savings ratio has increased dramatically. People are saving because they do not have the confidence to spend. Fortunately that is now turning around and that confidence exists. While we do not want people to spend all of their savings, there is certainly room for a significant amount of it to be spent. We can see that is working. New car sales in January have increased compared with the previous year, notwithstanding that for a couple of weeks the weather made it very difficult for anybody to go to a car showroom to buy a new car.

The Minister of State, Deputy Peter Power, said that at the weekend he read the newspapers referring to the countries in the eurozone that were basket cases. It is not too long ago — before the Minister for Finance took the steps he took — that Ireland was included among those cases. However, now Ireland is not near the situation of Greece, Portugal, Spain or Italy. As the Minister of State mentioned, Britain has a fairly significant debt-GDP ratio of nearly 70%. There again there are also significant problems with employment. Ireland is a small and vulnerable country, but the steps we are taking are getting us out of the situation.

There is also the question of excise duty. The reduction in beer, whiskey and wine has reduced the consumer price index. There were significant increases and young people in particular, with disposable income, tend to drink more than others. It does have an effect, and it did, while at the same time it impacted on people travelling to the North to buy their booze for Christmas. That happened on 9 December, so there was a double whammy, and that will project itself into 2010 and beyond. It will be a softener, as far as the reduction in wages is concerned.

I am particularly concerned, however, as regards those with big mortgages, out of proportion to their incomes. Whether it is low, middle or relatively high income there are still mortgages out of all proportion to earnings. Payments per month because of levies, wage and salary reductions or reduced profits in private industry mean that incomes generally are lower than they were two years ago, while the mortgage payments remain the same. This is complicated by negative equity and whereas it does not affect the money coming in or going out, emotionally it is a distraught subject. I believe the action the Minister has taken with regard to the banks, with the code of practice stipulating that they do not take legal action against those in default before an extended period of time, is the correct course as far as people on low and medium incomes are concerned.

The Minister for Communications, Energy and Natural Resources, Deputy Eamon Ryan put forward some solutions regarding banks extending the length of loans, making them interest repayable only, among other issues, and I was very sorry to see some commentators in Sunday papers at the weekend indicating that the Government should not help out these people with big mortgages. They argued, in effect, that since they had got into this position through their own fault, their neighbours should not have to bail them out. However, that is what this Republic is about, and what being a society is about, where in the best way possible those in difficult circumstances at a particular point should be given a dig-out.

On the question of competitiveness, I hope Deputy Higgins does not find this too boring.

Deputy Michael D. Higgins: I can hear the next bit.

Deputy Seán Ardagh: The Deputy is concerned with the word “competitiveness”. We have had problems with competitiveness, as regards the domestic market, particularly with the fall in demand. We have also had problems in relation to ordinary manufacturing on the domestic front, outside the foreign-owned multinationals, pharmaceuticals, ICT companies, etc. Overall, exports only fell by 2.5% in comparison with global trade down by 12.5% but unfortunately,

there was a bigger reduction in the indigenous type of industries where we need to improve. That can only be improved by Ireland being more competitive, with lower labour costs, greater efficiencies and lower prices all around.

I want to focus in particular on the cost of professional fees. These are the fees of accountants——

Deputy Michael D. Higgins: I fully agree with the Deputy.

Deputy Seán Ardagh: ——solicitors and professional people who are not lowering their fees sufficiently. They will lower them if they are in a very competitive situation. In fact, they will more than halve them, just to keep somebody else out. However, that is only in a particular situation. For those already in position, and where they are comfortable, the fees are not being reduced. The Competition Authority needs more powers to ensure that all fees are published, including the hourly rates, so that people may see what value is available in the marketplace. At this point, there is no need for professional firms to reduce their costs and this is deplorable because it is the one centre of costs which can be immediately focused on, and it is restraining cost reductions in many other areas as people say, in effect, “Neither the lawyers or the accountants are reducing their fees”. We must see some action in relation to that matter.

From a competitiveness viewpoint, I am pleased to see the exemption from corporation tax for companies in the first three years of business. That is also available for companies which are commencing operations in 2010. A member of the Opposition indicated earlier that this should be applied to private individuals. However, it is only for corporation tax, so that PAYE directors who take a salary out of the company will pay tax on that and do not get an exemption. In the same way, if a profit is made by a sole trader, he or she pays tax on the income taken out of the business. If an individual wants to avail of this and provided there is sufficient income in the business, then it is not difficult to register a company and get it going.

The Minister has introduced a certain fairness to the tax system in relation to the high earners, that was not there previously. The provision regarding the sum of €200,000 is something of a sop to some members of the Labour Party, if Deputy Higgins does not mind me saying so. I cannot see the amount that will be got from that as being very significant, but it is fair, nonetheless, and a start in the right direction. The people this might apply to——

Deputy Michael D. Higgins: It is like throwing the coins to the peasantry.

Deputy Arthur Morgan: Small coins.

Deputy Seán Ardagh: ——can move around very quickly. One commentator said there is no aggregation of assets between a husband and wife, so if it is a question of a €6 million house in the name of the wife, then it would not apply to the husband since it is all being done on an individual rather than an aggregated basis. Hopefully, that is not the case. It can be adjusted if necessary.

The whole idea of companies buying back their shares in order to increase the share price so that the individuals who hold them can make money through capital gains and pay a lower rate of tax than the dividends which would otherwise be payable is an excellent move. There was an article in a newspaper on Sunday about €400 million being avoided in relation to the capital gains tax on gilts futures contracts, government securities. There were two transactions in question, one where a gain was made, and a corresponding loss was then made. On the gain there was no tax because it related to government securities, but the loss could have been applied to other profits for capital gains tax purposes. I would like to know whether that

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occurred. I realise capital gains tax avoidance provisions are in place now, but were they not in place earlier? Was that article correct?

This budget has certain initiatives which will improve by a quantum leap the business in the International Financial Services Centre. Effectively, there are three items of note, including matters related to Islamic finance and principles of Islam under sharia law, which are to be applied to finance. The way in which this will improve the amount of business transacted is noteworthy. I understand in the Middle East financial institutions are looking to set up staging posts in Europe at the moment and Ireland could be a good place for such a set up. There is great potential in this regard.

I refer to the UCITS, undertakings for collective investments in transferable securities, to which the Minister of State, Deputy Roche, referred earlier. There will be clarity now as far as the taxation of funds managed by UCITS managing agents are concerned. If a non-resident fund is domiciled in Germany but managed in Ireland, no tax will be applied in Ireland. This is clear and allows the Irish management company to offer its services throughout the EU. Deputy Naughten referred to the remittance basis for income earned by individuals seeking highly skilled, value added individuals who could set up here, possibly in the area of sharia finance or the UCITS management business. The fact that such people may operate now, even if only on a remittance basis for one year, is commendable. All in all, this is brilliant work by a brilliant Minister for Finance and I commend it to the House.

Deputy Michael D. Higgins: I wish to share time with Deputy Arthur Morgan. I listened with great care to the speeches made. There are some points with which I find myself in agreement. In the course of the ten minutes available to me, I wish to put some fundamental questions about what is under discussion in this Bill. In the past week there has been a considerable debate about what we discuss in the House and how effectively we can discuss it. In this Finance Bill there is a great inability to face up to some fundamentals of political economy. At the risk of future political consequences, I might as well state that at this hour of the night, one will not find many of the media interested in what we have to say about the economy. I find a great limitation in what I hear in respect of the problems in place now. I have spent a great deal of my life as an academic but as such, one is neither deaf nor blind to what is taking place in one's constituency. This week in my constituency some 175 people in Boston Scientific lost their jobs. Whether one has been a lecturer, professor or a teacher, one understands what it is like for people to go home and say that they have received notice that they are to lose their jobs. What I find rather strange in the analysis taking place is how little political economy is present in the debate.

I will outline some the questions one might put although I realise I have a very limited amount of time in which to speak. Do we accept that the model of the economy that has been in place for a period has been a significant failure? If one does not examine the matter in a sharp sense, taking its parts bit by bit, one ends up with rather general statements. I agree with some of the points made by Deputy Ardagh, but the term he used was "We" were involved in this great excess which brought us to the point at which our expenditure vastly outstripped our income, based on a speculative bubble in the property market. The fact is the use of "We" is disguising a truth. Not everyone built dozens of townhouses in bogs in north Leinster. Not everyone shared in all of this expenditure of a lavish nature which took place. Not everyone was accommodated personally without collateral by the banks. After this traumatic week, let us decide in the interests of truth that we will not use the term "We" unless we specify to whom the "We" refers. However, we may use the term "We" to say that we must all pay for this now.

There was a tendentious speech given in the previous matter under discussion today that suggested the percentage paid by higher civil servants was in some way a greater sacrifice than that of people we drove practically below the poverty line at clerical officer level in the public service. This is a great nonsense. The question of where one stands in this regard was put by one Deputy. I can inform the Deputy very straightforwardly where I stand on this matter.

There is good and informed political and economic opinion, including from such people as Joseph Stiglitz of the World Bank, which holds that the model was disastrous. There are things which cannot and should not be supplied in a republic. In respect of the security of citizens, the market cannot supply a guarantee of basic decency and a floor below which no one should be allowed to fall. If one does not accept this, one finds oneself paying for tax concessions for a minority, while reducing the income of the disabled, the poor, widows and so forth. In addition, the Christmas bonus was taken off people. Upon examination, one finds the tax concessions given to a very narrow group of people would have paid for all of that.

Now, let us stop the nonsense. This is an immense political and ideological point. I refer to getting out of the bind we are in. The one truth coming through from every Deputy and on every side is that the greatest problem we face is unemployment. Reference has been made to the loss of jobs, the threat to jobs and the havoc and poverty this creates. However, there is a great distance between the language and the reality. For example, I refer to the matter of returning to education. It is mere idle rhetoric to state we are encouraging people in the construction industry, especially male unemployed people, to get back to education. The tests in place for jobseeker's allowance are prohibitive and one must claim for a particular length of time to qualify for the back to education allowance, but we disqualify people right, left and centre. The week before last, an electrician came to see me at my advice centre who was disqualified.

I refer to an example of getting back to education. Let us suppose one was on an access course. In certain circumstances one must qualify twice. One must be deemed a jobseeker but also, because of the criteria of certain institutions, one must qualify for a maintenance grant which is means tested. The people going back to such colleges have been told they will not be paid the maintenance grant which is, in fact, a major breach of trust. It is absolutely disgraceful.

I would rather dwell on the more positive things that could have been part of an imaginative Bill. One helpful development would be the acceptance that this model has failed. Throughout the world people are considering the proposition. Let us consider the economy overseen by Mr. Obama. They are considering a second round of stimulus. This is what Joseph Stiglitz has advised for the Obama Administration.

Where is the stimulus here? I attended Farmleigh and wanted to be positive, as I am, but I must ask where the supports are for the creative economy that could have generated so many jobs in film, design, digital media and music. I know this area well. When Ireland had the second highest incomes in the world, it had the second lowest level of social protection. One could have incorporated all the caring jobs into the economy, the caring economy. In the green economy, about which we hear so much, we do not see the jobs in terms of technological application.

Consider the use of loose language and the notion of competitiveness, about which many are speaking. I agree with Deputy Ardagh on one point, that is, on the cost of services. He is correct. However, there is a secret agenda such that competitiveness is being used as a cover for driving down wages. If one wants to be a real economist, one should show me, in respect of export costs, the contribution of escalated wage costs. When this occurs, we can talk about what is real.

[Deputy Michael D. Higgins.]

Competitiveness is being used as a cover to try to mount a campaign to reduce the minimum wage and get people to accept that miserable 1930s philosophy that one should be willing to come out of the house for anything one is offered simply in order to get out of the house. This thinking is widespread and people are using the present economic conditions as an excuse and cover for other regressive attitudes.

It is not only in the property bubble that the magnus of market thinking destroyed things. It made its way into the universities. I know much about these because I worked in them for 18 years. There is no need to make a choice between fundamental research and short-term applications through technology because one can do both. There are areas in which Ireland is a world leader, as emerged at Farnleigh. I refer to immunology, nutrient research and other areas. Ireland was full of opportunities but one found people who were looking for short-term yields from fine places of scholarship and asking them what they could develop in five years. Anybody who knows anything about medical research knows that it takes more than a decade before one can develop a particular product. We put at risk our third level institutions by short-term thinking.

The Minister for Education and Science referred, at a time when we are to produce tens of thousands of unemployed graduates with disappointed expectations, to the brand that was accepted all over the world, that of the National University of Ireland, NUI. The Minister of State at the Department of Foreign Affairs, Deputy Roche, referred to the Royal College of Surgeons. If he respects the Royal College of Surgeons, why does his colleague, the Minister for Education and Science, want to dump the NUI brand that is accepted all over the world? It is not that we are experiencing some great trauma this particular week in the absence of some technical expertise, it is that we are not doing real economics. That is what we need in the Finance Bill.

Deputy Arthur Morgan: I thank Deputy Higgins and the Labour Party for sharing time.

This Bill does not provide the mechanism necessary to lift us out of this economic recession. The Government is failing completely to put in place a stimulus package and to incentivise economic enterprise and those entrepreneurs who are vital to getting us back on a constructive course. The Government has been pursuing the same policy for two years.

Deputy Ardagh, whom I hope I am not misquoting, stated the people of Ireland overspent. He stated this was the big problem. If so, it is the fault of the people of Ireland that we are in this economic mess and experiencing this catastrophe. If Deputy Ardagh or anybody else really believes this, he should not be here.

People did, of course, overspend but they were following Government policy, which not only allowed them but actively encouraged them to do so. The Government looked the other way when banks were giving 100% and 120% mortgages. My colleague and Deputy Ó Caoláin, in particular, called on the Government over three years ago to cap mortgages at 90% or, at an absolute maximum, 95%. This would at least have cooled the market to some degree. It did not happen.

Where was the Financial Regulator to address the question of the salary-loan ratio? The Regulator looked the other way and allowed the mess to continue. One cannot blame the people, therefore, for getting into this mad rat-race or crazy economic race that took place over the best part of the past decade. Government policy was looking in the wrong direction, as the Government is doing now through this Bill.

To understand what I mean by “the wrong direction”, one must ask who the Government is targeting. Special needs assistants comprise one group. Although there are many others, I

mention them in particular because I have had an avalanche of representations in my constituency offices from them. I have no doubt but that other Deputies also had significant numbers of representations. I hope these Deputies feel as bad and helpless about the issue as I do. Parents, and in some cases single parents, explained to me the huge disability of their children and how those children were getting on so well because of the special needs assistants and the excellent care and love and attention they were receiving, yet they are the victims of the Government's policy.

There are other categories of people affected, as we see from the slashing of the social welfare payments to swathes of people. One should compare this policy with that of cutting the wages of high-income earners by only a fraction, as discussed in the Fine Gael motion on Private Members' business, which I totally support. The mantra stated regularly by the Government that it is targeting those who can pay and leaving alone those who cannot afford to pay is untrue.

The Government's taxation policy is crazy. Through the boom years, the Government was totally dependent on consumption taxes, such as stamp duty and VAT. The over-dependence on consumption taxes was completely unsustainable because the taxes were indirect and therefore completely unreliable in terms of generating an income stream for the Exchequer. As a consequence, when the economy began to turn, the Government was caught, a bit like the emperor with no clothes. It was completely exposed to huge risk. There is still insufficient capacity to pursue a proper and fair taxation system.

Every Government decision in the past three years has compounded the damage already done. One concerns the bank guarantee scheme of September 2008, worth €440 billion. It was implemented without putting proper terms and conditions in place. The decision to guarantee the banks was bad enough on its own but the failure to have proper terms and conditions meant that it was ludicrous. The decision to nationalise Anglo Irish Bank was crazy. Why would one do this? It was done because the bank is known as the Fianna Fáil bank. This is the name it had about town. We need not waste time this evening elaborating on this. Allied Irish Banks and Bank of Ireland were recapitalised when they should have been nationalised. A proper State bank should have been put in their place.

The most recent flawed decision by the Government concerns NAMA. NAMA was supposed to be about ensuring a proper finance stream and credit stream for small and medium enterprises. I am delighted that *The Irish Times* revealed the truth yesterday. I congratulate it on obtaining Government documents through a freedom of information request that exposed the lie that the Government told the House. It totally misled the House when told by the IMF that NAMA would have no input on lending.

Debate adjourned.

Adjournment Debate.

Regeneration Projects.

Deputy Michael Noonan: It is ironic to talk of social deprivation in my constituency following the Second Stage debate on a finance Bill introduced by a Government that sees no problem in dedicating billions of euro to the broken Irish banking system which, at the same time, cannot give a single euro to a plan it has been committed to for over two and a half years.

The Limerick regeneration project has ground to a halt because there is no capital from the Government. The Minister of State is familiar with the project. It affects areas of Limerick that

[Deputy Michael Noonan.]

historically have been bedevilled by crime and social deprivation and which have a very poor housing stock. Morale was raised and confidence given to the 2,300 families that live in these areas when Mr. John Fitzgerald brought forward his report to regenerate these areas in the city for which he had cross-party support. All the Deputies contributing here tonight have supported the programme, and there was a sense of excitement throughout the city. New hope was given to families in these areas. Staff came in, led by Mr. Brendan Kenny, and things were moving along.

Obviously, the slump had an effect. The money which was supposed to come from private investors did not materialise but there was nothing new about that. However, the money which was supposed to come from the Government was expected, and the tap was suddenly turned off this year.

The Minister's Government and his colleagues in Cabinet have said that €25 million is being given to Limerick. In terms of the breakdown of that, approximately €7 million is for the wages and salaries of the staff of the regeneration agencies; some seed capital is being provided to support social programmes which are under way; and the other €17 million or so is being given to Limerick City Council for the purchase of houses in the city suburbs to be used for social housing purposes. That €17 million is in line with the kind of allocations every local authority is getting for their housing programme either to build or to purchase and has nothing to do with the regeneration of the city.

We are at the stage now where the position is worse than it was before the regeneration agencies commenced their work. Nearly 400 houses have been demolished and not a single brick will be laid or a single sod turned in 2010 to provide a house for a single family who have invested their futures in the commitment made by the local Minister, Deputy O'Dea, his Cabinet colleagues, and particularly by the Minister for the Environment, Heritage and Local Government, Deputy John Gormley.

This is a disgraceful abandonment of families living in the most deprived areas of the city. These are decent families who are sending their children to school and doing their best but needing the strong hand of the Government to lift them back to the standard of housing and standard of living expected in this day and age.

I cannot understand how a Government could turn off the tap completely in terms of funding. It would be reasonable to say that in times of scarce resources the programmes should be done over 12 years rather than ten years or that the regeneration should be stretched to a 15 year period but to turn the tap off completely so that nothing is happening this year, and the regeneration staff effectively having no continuing work to occupy them in 2010, is appalling.

I have two suggestions. First, the Minister of State should ask the senior Minister to provide approximately €50 million this year to ensure that some of the housing projects that are ready to go can be given the go-ahead. If there was building activity with a prospect of houses in 15 months' time, confidence will be restored.

Second, the governance structure of the agencies is very poor. There are two agencies. They should be amalgamated, given a stronger legal base and the power to negotiate public private partnerships with the private sector, and allowed borrow money. If that is done the gap left by the Government could be filled by other means but it cannot be done currently because of the weak legal structure of the agencies. If the Minister examines that he would see it is a cost-free way of proceeding.

Deputy Jan O'Sullivan: There is a deep sense of betrayal in the regeneration communities in Limerick since the quotations from the Minister, Deputy O'Dea, on the front of *The Irish*

Times on Saturday became public knowledge. I have had an opportunity to talk to people in those areas and there is a huge sense of despair. People's hopes were raised. Their hopes were raised previously in those areas but they were greatly raised in the context of the regeneration plans. Those of us who thought those plans looked a little too ambitious asked if it was wise to knock down all of the houses in Moyross and Carew Park. We raised a number of other concerns at the time but were basically told to shut up and that money was no object. We were told to stop raising questions because the plans would solve the problems of these areas, and people should go along with them.

Since the weekend I have spoken to one of the community leaders who had put her head above the parapet and given up her time to go to meeting after meeting. She was being told constantly that this regeneration would happen and that the Government said that money would not be a problem. Even though the people might think they could not change their areas to the extent they said they would change them, they were told it would happen. That woman has to go back to her neighbours and try to explain that she was not leading them by the nose but that it was the Government that led them astray.

I lay much of the blame squarely on the back of the Minister, Deputy O'Dea. There is always somewhere over the rainbow whenever we get bad news from the Minister. When the Dell job losses were announced we heard approximately 700 jobs would be coming from some fictional company that never materialised.

Even when the Minister announced on Saturday that the State could not deliver the €1.7 billion for Limerick regeneration, he talked about some builders investing a couple of hundred million euro. I do not know who they are or from where they are getting the couple of hundred million euro. In the context of the budget, the re-financing of the banks and the financial fiasco in this country I do not know who will lend them the couple of hundred million euro but the Minister cannot resist presenting these guys riding in on horses on the brow of the hill ready to jump in and solve the problem when what we need is Government commitment to building. We do not want a commitment to knock down buildings or buy houses in the county or wherever but to rebuild these communities. They are worse off now than they were before all this started because of the anti-social problems and the rats associated with empty houses.

We must be honest about this. We have got to see a practical response from Government. We must see houses built in these areas. A number of senior citizens projects are planned. I would like to hear from the Minister of State, Deputy Finneran, and receive a guarantee that funding will be made available for those projects this year.

There are other infrastructural projects, such as a railway station in Moyross and a link road to Limerick Institute of Technology. There are similar projects in other areas, including an all-weather pitch in the St. Mary's Park area. These are the kind of projects that will make life better for people. It is most unfair to people who hoped they would be able to raise their kids or see out their elderly years in a better environment to hear on the national airwaves and read in the national newspapers that the money is not forthcoming. We need honesty and for the Minister for the Environment, Heritage and Local Government to visit Limerick to explain what can be feasibly delivered in the affected areas.

If people are going to get the information filtered through the Minister for Defence, Deputy Willie O'Dea, they are not going to get the truth because he cannot resist fiction. I apologise for attacking the Minister in such a way but one must appreciate that he will present any picture if he believes it will deliver votes. That is not what the communities affected need. They need all parties working together to bring about the regeneration project. All Members from Limerick, including the Minister of State, Deputy Peter Power, are willing to work together on

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these issues. We do not need some guy riding out pretending he is doing the whole thing himself.

I feel very strongly that the people in these estates have been let down. We need a proper and complete Government response led by the Taoiseach and the Minister for the Environment, Heritage and Local Government, Deputy John Gormley, and the Minister of State at the Department of the Environment, Heritage and Local Government, Deputy Michael Finneran, not fiction.

Deputy Kieran O'Donnell: Apart from unemployment, the Limerick regeneration project is the single most important issue for the city. When the regeneration project was launched by the Government more than two years ago, it was such a priority and of such importance that it came under Cabinet responsibility. Now confusion reigns in the media. Last week, we were told the €25 million allocated for next year was provisional and more would follow. On Saturday, the Minister for Defence, Deputy Willie O'Dea, the only Cabinet member in Limerick and the mid-west, said in the national newspapers the project would be stalled unless non-State funding outside of the €25 million could be secured. This compounded the lack of morale among the people living in the regeneration areas, Moyross, Southill, St. Mary's Park and Ballinacurra Weston. They have lost faith in the project believing it lacks credibility and is being repeatedly stalled. Action and a firm commitment from the Minister of State, Deputy Michael Finneran, is needed. As the Cabinet has responsibility for this project, the Taoiseach and the Minister for the Environment, Heritage and Local Government, Deputy John Gormley, need to visit the regeneration areas where up to 400 houses have been knocked but not one replaced.

When the project was originally launched with much fanfare by the President, Mary McAleese, on behalf of the Government, those living in the areas had high hopes. The Government must live up to its commitment and provide the funding. No one expected the project to happen overnight as it was set down as a ten-year project. The Government's claim, therefore, that it cannot afford the €1.7 billion required does not ring true. Projects need to be started in each of the regeneration areas. Many elderly people in the regeneration areas, for example, have put their life savings into buying out their houses. Now, they do not know where they stand. One week they are told their houses will be purchased and the next week they are told the houses beside them will be knocked.

The Denis Brosnan taskforce established for the mid-west stated one headline project it wanted to see fast-tracked was the regeneration project. Not only has it a social dimension, it has enormous employment potential for up to 4,000 people. Limerick has a higher unemployment rate than the national average; the regeneration areas' rate is five times higher at 70%. Plans are to be submitted at the end of March and many feel the Government is just putting off this. A firm commitment that the Government will provide funding for the project in 2010 and its subsequent years must be made. When the Cabinet took responsibility for the regeneration project, it was assumed the Minister for Defence, Deputy Willie O'Dea, would have a major influence in advancing the project. I accept there is a need for private investment but it cannot be expected to be made unless there is a commitment from the State. The Government is reneging on the project and we will not allow this to happen. We want positive news from the Minister of State, Deputy Michael Finneran, tonight that capital funding for the project will be provided for it to get under way.

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): I thank the Deputies for raising this item and their ongoing interest in this important issue. Limerick regeneration is an issue with which I am intimately acquainted,

not just because of my office, but because of the extent to which my colleagues, the Minister for Defence, Deputy Willie O'Dea, and the Minister of State, Deputy Peter Power, have acted as powerful advocates for the programme since its inception. In their engagements with me and the Government, both Ministers have provided strong voices for the communities in the regeneration areas and have ensured the regeneration programme remains a top priority for the Government.

Many families in Limerick city are working to build better lives for themselves, to overcome the disadvantages of social segregation and barriers to education and other services. These are the people that I, as Minister of State with responsibility for housing and local services, am committed to helping through the Limerick regeneration programme. I am glad to have the opportunity tonight to reiterate the Government's commitment to those families and the communities of Moyross, Southill, St. Mary's Park and Ballinacurra Weston. The Government has maintained the impetus around this regeneration project over the past three years despite the challenges of the changing economic environment.

With the active support of both Ministers, Deputies Willie O'Dea and Peter Power, the Government commissioned the Fitzgerald report to examine how the lives of people living in these severely disadvantaged communities could be improved. The Government took that report and drove the implementation of its recommendations, not least through the establishment of dedicated agencies to lead the delivery on the regeneration project. As recently as last December the Government also endorsed the vision for that ten-year regeneration and requested the detailed, costed plans for the first phase of the project's implementation by the end of the first quarter of this year.

Delivering a successful regeneration project that aims to remedy a long legacy of neglect and decline is not easy and not achievable overnight. It is not about placing a Band-Aid solution on the problem by simply providing new housing to communities in crisis. We already know that such an approach does not build sustainable regenerated communities. Rather, a successful regeneration requires an holistic approach that seeks to address the underlying causes of the social, economic and educational disadvantage that characterises these communities. It means we must take a whole of Government approach to the regeneration in Limerick to ensure the social and educational supports are available, while at the same time improving the built environment of the areas. It means that private sector investment must be secured to break the cycle of social isolation and encourage a mix of housing tenures in these areas. Mobilising private sector involvement is also essential in creating employment opportunities for these communities.

This whole of Government approach is at the centre of our work on the regeneration project, with relevant Departments, State agencies and local authorities represented on the boards of the Limerick regeneration agencies. My Department has also taken the lead on a high-level initiative involving the Secretaries General of key Departments and agencies involved in the social regeneration of the areas to ensure necessary decisions can be taken quickly, with the outcomes channelled into the overall implementation plans for the project. In addition, the Cabinet committee on social inclusion is regularly updated with progress on these cross-sectoral issues.

Since their establishment, the regeneration agencies have developed the strategic framework and vision for the regeneration while simultaneously delivering on an ambitious programme for the stabilisation of the areas. Despite the significant constraints on public finances in recent years, the Government provided in excess of €50 million for that stabilisation programme in the two and a half years to the end of 2009. Working with Limerick City Council, this funding has supported a planned programme of demolitions to address anti-social behaviour and to

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facilitate site clearances for future construction. It has provided for a programme of appropriate relocation of households, in accordance with locally agreed housing protocols, and it has seen a considerable improvement in the community infrastructure through closed circuit television installations, estate clean-ups, and new community supports and facilities.

In terms of our whole of Government approach to the regeneration, the past two years have seen significant additional investment from other Departments and agencies. As part of the broader stabilisation initiatives and to garner community support for the regeneration, 80 additional Garda personnel have been assigned to the city and a range of specialist supporting Garda resources have been deployed. Co-ordinated education programmes and special education initiatives have been developed for the regeneration areas. New targeted community-based initiatives are being provided in the areas of health, children, youth and family support, sport, employment and training to combat the effects of social exclusion. Many of these have been developed and supported with co-funded investment from the relevant Departments, local authorities, the HSE, FÁS and other key stakeholders. For 2010, I have increased my Department's annual provision for Limerick regeneration to €25 million to maintain the impetus around the regeneration programme and to continue to support these important initiatives.

While much attention to date has been focused on demolition and other essential works associated with the preparation of the areas for physical regeneration, the agencies and Limerick City Council acknowledge the importance of progressing new-build projects at this stage in the process. In that context, I want to confirm to the House the Government's commitment to facilitating such new build projects within the overall resources available for 2010. In fact, work has been progressing over the past year on the detailed planning and design of two housing projects which will provide up to 100 new homes, primarily for older people living in the Moyross and Ballinacurra Weston areas, with a view to advancing the projects to tender stage in 2010. Design work will also progress this year on two further projects for Southill and St. Mary's Park. All these projects provide tangible evidence that work is well under way to move the programme forward and to start building on the solid foundations that have been laid by the essential demolition and other preparatory works undertaken over the past two years.

Once again, I emphasise the importance of an holistic whole of Government approach in delivering successfully on regeneration. Regeneration is all about balancing the social and educational needs of communities with employment opportunities, all in a high quality built environment. New houses for socially disadvantaged families do not, on their own, build sustainable communities, any more than delivering community supports with no employment opportunities will do. Our challenge for the regeneration in Limerick city is to deliver an enduring, sustainable, high-quality outcome incorporating the crucial social, physical and economic ingredients. That is why we have spent the time building a strong foundation for the regeneration in Limerick. We have invested in clearing sites that will be ready for public and private sector construction projects. We have invested in social, community and educational supports to empower and support the communities of these areas. We have mobilised a public sector network that is committed to supporting the next steps. With this foundation in place, we are now ready to start building these new regenerated communities.

As I mentioned earlier, the Government has requested that the Limerick regeneration agencies prepare detailed fully costed plans for the first phase of the implementation of the regeneration project in Limerick by the end of the first quarter of this year. The agencies, with expert advice from the National Building Agency and in consultation with the relevant stakeholders, are working intensively to arrive at a prioritised plan that will provide us with a roadmap for the social, physical, and economic regeneration of these communities for the next three to

five years. To do this, the agencies have been charged with determining the intended mix of refurbishment and new build and the projected costs having regard to the better values now available in the economy generally. In doing this, they will be informed by the wider strategic planning environment and a full consideration of potential private sector funding mechanisms.

Notwithstanding the current limitations on the availability of public funds, I extend a guarantee to the House that the Government will once again step up to the mark for the regeneration project in Limerick in a full review of how Government resources can best be deployed to deliver this crucial first phase. Across Government, there is a wide range of investment programmes from which funding can be channelled to meet specific actions under the first phase plans. We are committed to establishing the appropriate mechanisms for doing this and to ensuring the necessary support is available to invest in Limerick.

Once again, I thank the Deputies for raising this important issue. The need to regenerate these areas goes beyond party divides and local differences. We must work together to ensure this regeneration project is a success, but to do that our approach must be both considered and ambitious. We have spent two and a half years building a strong foundation for the regeneration of these communities. We have provided the investment necessary to do this, and a further €25 million has been set aside this year from my Department alone. I look forward to again visiting the regeneration areas shortly to see the work under way and to discuss the programme for the year ahead. The Government is determined to break the cycle of disadvantage in Moyross, Southill, St. Mary's Park and Ballinacurra Weston. It is only then that we will be able to look back on the regeneration programme and say we used the opportunity it presented to make a real and lasting difference. I am very committed and I hope to visit Limerick shortly to meet the different stakeholders in this matter.

Rural Environment Protection Scheme.

Deputy Jimmy Deenihan: The issue of chemical P or phosphates has arisen mainly where stock are out-wintered and in that situation the plan, as prepared on the eREP system, does not satisfy the checks and balances system used by the Department. Apparently, in the Department's checks, for instance, C should equal A minus B, but in eREPS, with all stock out-wintered, C should not equal A versus B. The relevant P deduction is done in another way. That is leading to much confusion.

In REPS 4, all plans were prepared on the e-REPS system, a computerised system run by Teagasc and the Agricultural Consultants Association. I am sure the Department had an input as the system had to meet the REPS specifications. If the system is wrong, why has the Minister not checked it out and demanded that it be rectified rather than rejecting individual plans? Why has he not called in the planners and explained the alleged deficiencies, if there are any? Why do these issues only arise when payments are due? Plans were all submitted prior to 15 May 2009.

The administration of REPS 4 is also a major issue. The requirement that all plans had to be submitted by 15 May was a nightmare for planners and farmers. That put unreal pressure on planners and Department staff with the result that bundles of plans were submitted together and the Department did not check these out for perhaps six months. Previous plans were submitted throughout the year and were checked within a week or so of being submitted and any issues were quickly sorted out.

Likewise with inspections, apparently the Department must carry out all inspections before dealing with any problems encountered with the result that following an inspection in June, the farmer may not be written to until December or January. It is understandable that REPS

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4 must meet the requirements of the Nitrates Directive but why can the Minister not sit down with the planners and Teagasc and work out this issue? It is not rocket science.

The Department staff at local level are very helpful and do their best to sort out the issue but their hands are tied by the administrative requirements imposed on them by their superiors — I found this from my experience of dealing with them. Surely, it should be possible to find a better way to administer this system. Brussels is sometimes blamed but if Brussels imposes unworkable requirements, surely it should be possible to go back to it to rectify and simplify them.

To return to chemical P, in e-REPS when dealing with organic and chemical P, if the stock are out-wintered, the planner ticks a box and then the P fraction is deducted automatically from the amount of P the planner has recommended based on table 3, page 34, of the specs, with which the Minister is no doubt familiar. What adds to the confusion is that the planner's full recommendation appears at column 6 of table 1.10. The total in column 7 is not equal to column 4 times column 6 but has been reduced for this fraction and also for the concentrates fed.

To further add to the confusion in making this deduction, the fraction about which I speak is divided by the total forage area whereas the P in the concentrates feed seems to be divided only by the areas that are soil tested and for which a chemical P allowance is recommended. If the stock is not out-wintered, the planner does not tick the said box and then the 18/52 P is not deducted at table 1.10 but is deducted when the planner allocates the slurry. The slurry is adjusted to give the same fraction of total P produced — for example, it is 18 weeks in County Kerry — irrespective of how long the stock are housed for. It is highly technical but can be resolved if the Minister sits down with these people or if he comes to County Kerry to meet the planners.

Even when REPS plans have been completed, are perfect and have been cleared, there is no district superintendent in County Kerry, north or south, to sign off on the applications. I understand this is happening throughout the country and that there are vacancies across the agricultural and environmental sector which are not being filled. It is holding up the whole REPS programme.

In the case of County Kerry, apart from resolving the chemical P problem, I appeal to the Minister to appoint a district superintendent as soon as possible in order that these plans can be cleared because there is much dependency, as he will probably tell me, on REPS in County Kerry for farm income.

Minister of State at the Department of Agriculture, Fisheries and Food (Deputy Trevor Sargent): Gabhaim buíochas leis an Teachta Deenihan as an cheist thábhachtach seo a ardú, ceist a thuigeann sé go maith é féin mar iar-Aire Stáit sa Roinn Talmhaíochta.

Deputy Jimmy Deenihan: Is maith is cuimhin liom.

Deputy Trevor Sargent: Gan amhras tá roinnt athruithe ó shin i leith.

I wish to clarify the situation in regard to REPS 4 plans on which queries have arisen that have to do with nutrient management planning and, in particular, with levels of chemical phosphorus. The plans in question were produced using the e-REPS system. This is an electronic system which was developed and funded by my Department to facilitate planners in producing agri-environmental plans to the specification of REPS.

Some 2,000 cases with apparent issues in this regard were identified during the stringent administrative checks which were carried out by the Department as required under EU regu-

lations. All of these farmers are being written to and will be given the opportunity to either confirm the accuracy of their nutrient management plan or to submit an adjusted plan.

I am well aware of the importance of REPS payments to farmers and farm family incomes, especially at this difficult time, as emphasised by Deputy Deenihan. However, the Department must operate in the context of strict EU regulations and these issues must be resolved before payment can be made. Amended plans will be processed for payment without delay. I assure the House that the Department will process these responses as a matter of priority in order that payment can issue to the farmers concerned.

In the past week, Department officials have re-examined a number of the files where issues had arisen. This exercise confirmed that in all cases but one, the apparent error was not caused by any deficiency in the e-REPS programme. The exception in the sample drawn was the result of a clerical error by an official and this has been corrected. Based on the examination carried out, the Department is satisfied that the problem has not arisen as a result of a systems failure in e-REPS and that if the instructions for using e-REPS had been followed strictly, the problems would not have arisen.

The e-REPS system is a complex one, as Deputy Deenihan stated, especially in so far as nutrient planning is concerned, and to assist planners and ensure that problems do not arise again, work is under way on the system to provide additional navigational aids to planners. This work will be completed shortly.

Payments for the 2009 REPS 4 commenced on 18 December 2009 and continue to issue on a weekly basis. To date, 9,823 REPS 4 participants have been paid in full. A further 6,799 have received the first phase of 75% of their payments and are due to receive the balancing payment of 25% shortly. Payments will go out this week to a further 800 applicants. I am committed to completing all payments as soon as possible, including those which are the subject of query in regard to chemical phosphorus levels.

The current delays in a number of cases should not in any way detract from the merits of REPS. The scheme has been one of the most successful operated by the Department since its launch in 1994. It has delivered multiple benefits to the environment in terms of water quality, biodiversity, conservation and landscape enhancement. It has also brought welcome income benefits to farmers with more than €343 million paid out to REPS participants last year and a total of more than €2 billion paid since 1994. In fact, payments in 2009 reached their highest level ever. The original allocation for last year was just €330 million but additional funds were provided in December last and approved by Dáil Éireann by way of a Supplementary Estimate. Payments due to REPS farmers this year will continue at this high level. Notwithstanding the Government's decision to close REPS to new entrants in July last year, which was unavoidable given the state of the public finances, those farmers who are already in REPS will see out their five year contracts. This means that there will still be farmers in REPS right up to the end of 2014. By the time the scheme finally comes to an end, payments to farmers will have exceeded €3 billion.

It is worth noting that on 20 January the Rural Development Management Committee of the European Commission agreed to an amendment to Ireland's rural development programme. Part of this amendment included proposals for a new agri-environment scheme. This scheme will be partly funded by the EU but will also get very substantial support from the Irish Exchequer. The new scheme will focus on the priority areas of biodiversity, water management and climate change. It will consist of a menu of actions from which farmers can select those that complement the environmental profiles of their farms. The shape of the new scheme reflects the increasing emphasis at European Union level on having schemes that deliver clearly identifiable and measurable benefits to the environment. Details of the new scheme are being

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finalised within the Department and the intention is to launch it once the formal approval of the European Commission has been received.

Tomorrow I have arranged to meet some of the senior officials who are dealing with REPS who are coming from Wexford. We will address the issues and questions raised by the Deputy in greater detail at that time.

The Dáil adjourned at 10.40 p.m. until 10.30 a.m. on Wednesday, 10 February 2010.

Written Answers.

The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].

Questions Nos. 1 to 135, inclusive, resubmitted.

Departmental Bodies.

136. **Deputy Ruairí Quinn** asked the Taoiseach if the expert private sector panel set out in the revised programme for Government has been established; the list of the members of the expert private sector panel; the number of meetings held by the panel to date; the decisions that were taken at those meetings; and if he will make a statement on the matter. [6067/10]

The Taoiseach: This commitment in the Programme for Government was made in the context of the ongoing work of the Innovation Taskforce which is looking at opportunities for Ireland to strengthen its position as a location for innovation and commercialisation in order to support sustainable employment in the context of ongoing investments under the Strategy for Science, Technology and Innovation. The Taskforce is due to report shortly and its recommendations will inform how this commitment is implemented.

Departmental Procurement.

137. **Deputy Joe McHugh** asked the Taoiseach the companies that have been granted contracts for projects worth more than €10 million in the period 2000 to 2010. [6152/10]

139. **Deputy Joe McHugh** asked the Taoiseach the companies that have been granted contracts for projects worth more than €15 million in the period 2000 to date in 2010. [6324/10]

The Taoiseach: I propose to take Questions Nos. 137 and 139 together.

No company has been granted a contract for projects worth more than the amounts stated above by my Department in the period 2000 to 2010.

Consultancy Contracts.

138. **Deputy Damien English** asked the Taoiseach the number of external consultants currently working for or in his Department; the work they are carrying out; and if he will make a statement on the matter. [6206/10]

The Taoiseach: At present there are two consultancy firms working in my Department. The Organisational Review Programme (ORP) engaged the services of IPSOS MRBI for the administration and analysis of survey questionnaires to all staff of the four organisations (Central Statistics Office, Department of Health and Children, Office of the Revenue Commissioners and the Property Registration Authority) being reviewed under the second phase of the ORP. This work is close to completion.

Fitzpatrick Associates Economic Consultants were contracted to carry out a case study of the Garda Boundary Realignment Project. The case study will document the processes involved in implementing the boundary realignment and the learning achieved. It is intended that the case study will be shared with other relevant agencies and will support the pursuit of a standardised approach to the local structuring of public service management and delivery in line with the Government's Statement on Transforming Public Services.

Question No. 139 answered with Question No. 137.

Health and Safety Regulations.

140. **Deputy Aengus Ó Snodaigh** asked the Taoiseach if all the portable electrical equipment in his Department and related offices have portable appliance test certificates as required by the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007; if not, the reason for same; if his attention has been drawn to the fact that a PAT must be carried out on all moveable electrical equipment in offices, centres and so on, to ensure the safety and welfare of both employees and employers; if his further attention has been drawn to the fact that records of all such tests must be kept for at least five years to allow the Health and Safety Authority to carry out random spot checks and that insurance companies and underwriters are already seeking proof of compliance prior to renewal of policies; and if he will make a statement on the matter. [6458/10]

The Taoiseach: It is the policy of my Department and NESDO that all portable electrical equipment used complies fully with the Safety, Health and Welfare at Work (General Application) Regulations, Statutory Instrument No. 299 of 2007. A programme of regular inspections in relation to portable electrical equipment covered by the scope of the regulations is in place in my Department and NESDO where necessary to ensure that all relevant equipment is safe to use and certified in accordance with the Regulations.

Departmental Programmes.

141. **Deputy Fergus O'Dowd** asked the Taoiseach the number of civil and public servants that have signed up for the cycle to work scheme; the cost of the scheme to date in 2010. [7580/10]

The Taoiseach: Seven civil servants have signed up for the Cycle to Work scheme in my Department. There is no discernible cost to my Department's vote in administering the cycle to work scheme to date in 2010. The bicycles and equipment are paid for by way of salary sacrifice by those acquiring the bicycles. There are minor costs in processing forms and in carrying the up-front costs until such time as those are offset by the gradual deductions from salary. Neither of these is quantifiable. The only material cost of the scheme to the State is the tax relief inherent in the scheme. The total amount sanctioned to date by way of cycle purchases for staff of my Department is €3,722.92.

Industrial Development.

142. **Deputy Ruairí Quinn** asked the Tánaiste and Minister for Enterprise, Trade and

Employment the position regarding plans to establish an international content services centre here; and if she will make a statement on the matter. [6066/10]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The Department of Communications, Energy and Natural Resources is responsible for this matter.

Redundancy Payments.

143. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Enterprise, Trade and Employment when redundancy payments will issue to a person (details supplied) in Dublin 9; and the reason for delay. [6115/10]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary): My Department administers the Social Insurance Fund (SIF) in relation to redundancy matters on behalf of the Department of Social and Family Affairs. There are two types of payment made from the SIF — rebates to those employers who have paid statutory redundancy to eligible employees, and statutory lump sums to employees whose employers are insolvent and/or in receivership/liquidation. I can confirm that my Department received a statutory lump sum claim for the individual concerned on 16 September, 2009 claiming inability to pay on behalf of the employer. In respect of lump sum payments paid directly to employees, such as in this instance, the Section is, in general, processing claims dating from July 2009.

Given the unprecedented increase in Redundancy Payment claims lodged with my Department since late 2008 it has proved impossible to maintain the customer service targets that previously obtained. The scale of the challenge is evident from the statistics that show incoming redundancy claims with a cumulative figure for 2009 of 77,001. This figure exceeds the claims lodged for 2008 (40,607) by 90% and 2008 was, of itself, an exceptional year as compared with earlier years when claims received were of the order of 25,000. Efforts continue to be made by my Department to deliver more acceptable turnaround processing times for redundancy payments given the difficulties that this gives rise to for both individual employees and the business community. Measures already taken include:

- the reassignment of 26.7 additional staff (full time equivalents) from other areas of the Department to the Redundancy Payments area since early 2009 with ongoing review of trends and demands. The current number of staff serving in the Redundancy Payments Section in terms of full time equivalents is 52.5;
- the prioritisation of the Department's overtime budget towards staff in the Redundancy Payments Section to tackle the backlog outside normal hours;
- the establishment of a special call handling facility to deal with the huge volume of telephone calls from people and businesses who are naturally concerned about their payments, using the facilities and cooperation of the National Employment Rights Authority (NERA). This centre has received an average of 12,500 calls per month this year with an estimated 60% relating to redundancy payments;
- The provision of better quality information relating to current processing times on the Department's website;
- Engagement with the Revenue Commissioners to facilitate the offset of redundancy rebate payments by employers against outstanding tax liabilities with the Revenue Commissioners.

[Deputy Dara Calleary.]

The Tánaiste and I are monitoring closely the impact of these changes against the continuing influx of redundancy claims and it is clear that additional measures are required to help reduce the backlog of claims which currently stands in excess of 40,000. The Department is currently actively engaged in efforts to secure up to 16 additional staff resources deployed to the area in the first quarter of 2010.

Departmental Procurement.

144. **Deputy Joe McHugh** asked the Tánaiste and Minister for Enterprise, Trade and Employment the companies that have been granted contracts for projects worth more than €10 million in the period 2000 to 2010. [6145/10]

154. **Deputy Joe McHugh** asked the Tánaiste and Minister for Enterprise, Trade and Employment the companies that have been granted contracts for projects worth more than €15 million in the period 2000 to date in 2010. [6317/10]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): I propose to take Questions Nos. 144 and 154 together.

In the time available it is not possible to provide the information requested.

Departmental Agencies.

145. **Deputy Damien English** asked the Tánaiste and Minister for Enterprise, Trade and Employment the cost associated with setting up and running the National Consumer Agency since its establishment to date in 2010; the breakdown on the cost of salaries, market research and publication of reports. [6174/10]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): Following the enactment of the Consumer Protection Act 2007, the National Consumer Agency was established on a statutory basis on 1st May 2007. A total of €18,217,628 was incurred in the period from 1st May 2007 to 31st December 2009 in respect of the operation of the Agency. This included €8,378,777 in respect of salary costs, €536,636 in respect of market research costs and €197,716 in respect of the cost of the publication of reports.

County Enterprise Boards.

146. **Deputy Damien English** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of businesses that have received financial grant aid from each county and city enterprise board in 2008 and 2009; the average grant paid to same; the number of employment opportunities that have been created from each in tabular form. [6177/10]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Billy Kelleher): In the time available it is not possible to provide the information requested.

Consultancy Contracts.

147. **Deputy Damien English** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of external consultants currently working for or in her Department; the work they are carrying out; and if she will make a statement on the matter. [6199/10]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): In the time available it is not possible to provide the information requested.

FÁS Training Programmes.

148. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the full-time staffing and full-time trainee numbers within the FÁS training centre at Tallaght, Dublin 24 on 31 January in 2007, 2008, 2009 and 2010; the breakdown of the figures by persons engaged in centre management, manager, assistant managers and so on, administration, training instructors, general operatives, temporary instructors and trainees; and if she will make a statement on the matter. [6226/10]

149. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the full-time staffing and full-time trainee numbers within the FÁS training centre at Finglas, Dublin 11 on 31 January in 2007, 2008, 2009 and 2010; the breakdown of the figures by persons engaged in centre management, manager, assistant managers and so on, administration, training instructors, general operatives, temporary instructors and trainees; and if she will make a statement on the matter. [6227/10]

150. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the full-time staffing and full-time trainee numbers within the FÁS training centre at Athlone, County Westmeath on 31 January in 2007, 2008, 2009 and 2010; the breakdown of the figures by persons engaged in centre management, manager, assistant managers and so on, administration, training instructors, general operatives, temporary instructors and trainees; and if she will make a statement on the matter. [6228/10]

151. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the full-time staffing and full-time trainee numbers within the FÁS training centre at Sligo, on 31 January in 2007, 2008, 2009 and 2010; the breakdown of the figures by persons engaged in centre management, manager, assistant managers and so on, administration, training instructors, general operatives, temporary instructors and trainees; and if she will make a statement on the matter. [6229/10]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): I propose to take Questions Nos. 148 to 151, inclusive, together.

The following four tables set out the full time staffing numbers in respect of the FÁS training centres at Tallaght, Finglas, Athlone and Sligo for each of the years in question. The fifth and final table indicates the number of trainees as at 31 January from 2007 to 2010.

Tallaght Training Services Staff

Grade	2007 Total	2008 Total	2009 Total	2010 Total
6	1.00	1	1	1
7	3.00	3	3	3
8	27.00	21	21	17
9	6.00	2	3	3
10	4.00	3	3	2
11	7.72	9	8	8
13	6.00	6	3	3
Total	50.72	44	41	37

[Deputy Mary Coughlan.]

Finglas Training Services Staff

Grade	2007 Total	2008 Total	2009 Total	2010 Total
6	1.0	1	1.0	1.0
7	2.0	3	3.0	3.0
8	24.5	22	20.0	21.0
9	4.5	4	3.0	3.0
10	5.0	4	7.5	3.5
11	6.0	5	6.0	7.0
13	4.0	4	4.0	4.0
Total	43	42	40.5	42.5

Athlone Training Services Staff

Grade	2007 Total	2008 Total	2009 Total	2010 Total
6	1.00	1.00	1.00	1.0
7	3.00	3.00	4.00	4.0
8	25.00	22.00	24.00	23.0
9	6.00	5.00	4.00	3.0
10	7.00	9.00	13.00	4.0
11	6.31	8.31	8.51	8.8
13	5.00	5.00	6.00	4.0
Total	50.31	46.31	51.51	47.8

Sligo Training Services Staff

Grade	2007 Total	2008 Total	2009 Total	2010 Total
6	1.00	1.00	1.00	1.00
7	1.00	2.00	2.00	2.00
8	12.66	12.66	10.66	10.66
9	2.00	1.00	2.00	1.00
10	5.00	5.00	8.20	4.00
11	5.00	4.00	4.00	4.00
13	7.50	7.50	5.80	5.80
Total	29.66	30.66	28.96	27.96

Grade	Staff
6	Manager
7	Assistant Manager
8	Certs & Standards Officer, Curriculum Officer, Development Officer, Instructor, Apprenticeship Instructor, ProjectCo-Ordinator, Training Officer/Adviser
9	Instructor, Apprenticeship Instructor, Training Officer
10	Administration Assistant, Assistant Curriculum Officer, Instructor, Apprenticeship Instructor, Senior Storeperson
11	Canteen Supervisor, Clerical Officer, Cook, Occupational Health Nurse, Storeperson
13	General Assistant

Trainee Numbers as at 31 January 2007-2010

Training Centre	31.01.2007	31.01.2008	31.01.2009	31.01.2010
Tallaght	533	427	382	767
Finglas	941	966	872	813
Athlone	1,757	2,007	1,875	1,730
Sligo	882	912	953	857
Total	4,113	4,312	4,082	4,167

Departmental Agencies.

152. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of persons who applied for positions on the board of FÁS; the number short-listed; the number interviewed; the dates on which interviews took place; and if she will make a statement on the matter. [6230/10]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): Following the publication of an advertisement, the Department received 127 expressions of interest in relation to membership of the Board of FÁS. A selection process was put in place in my Department, which resulted in a short-list of 28 persons. Following consultation with the Minister for Social and Family Affairs and the Minister for Education and Science, as required by the Labour Services (Amendment) Act 2009, I appointed the members to the Board of FÁS.

Employment Support Services.

153. **Deputy Michael Ring** asked the Tánaiste and Minister for Enterprise, Trade and Employment the assistance available to self-employed persons who are struggling yet wish to continue in self-employment due to future contract plans; and if she will make a statement on the matter. [6302/10]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): In the time available it is not possible to provide the information requested.

Question No. 154 answered with Question No. 144.

Redundancy Payments.

155. **Deputy Bobby Aylward** asked the Tánaiste and Minister for Enterprise, Trade and Employment, further to Parliamentary Question No. 209 of 3 November 2009, if payment of statutory redundancy will be awarded to the person (details supplied) in view of the fact that further information requested from the employer has been submitted. [6401/10]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary): My Department administers the Social Insurance Fund (SIF) in relation to redundancy matters on behalf of the Department of Social and Family Affairs. There are two types of payment made from the SIF — rebates to those employers who have paid statutory redundancy to eligible employees, and statutory lump sums to employees whose employers are insolvent and/or in receivership/liquidation. I can confirm that my Department received lump sum applications in respect of the individuals concerned on 13 July, 2009. I understand that their claims have been processed and that payment is expected to issue within the next two weeks.

156. **Deputy Seán Ó Fearghaíl** asked the Tánaiste and Minister for Enterprise, Trade and Employment when a statutory redundancy payment will be awarded in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6448/10]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary): My Department administers the Social Insurance Fund (SIF) in relation to redundancy matters on behalf of the Department of Social and Family Affairs. There are two types of payment made from the SIF — rebates to those employers who have paid statutory redundancy to eligible employees, and statutory lump sums to employees whose employers are insolvent and/or in receivership/liquidation. The Redundancy Payments System of my Department does not have on record any redundancy claim on behalf of the individual referred to. If the Deputy is in a position to provide further details, I would be happy to pass these on to my Department or, alternatively, contact could be made by the individual directly with my Department.

Work Permits.

157. **Deputy Denis Naughten** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of new work permits issued in each of the past five years; the number approved in each year for persons already resident here; and if she will make a statement on the matter. [6451/10]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): Employment Permit Statistics for each of the last 5 years are shown in the table below. Information in relation to those approved for persons already resident in the State is not readily identifiable and will be supplied to the Deputy at a later date.

Employment Permits 2005 to 2009

	New Permits	Renewals	Group	Issued
2005	7,354	18,970	812	27,136
2006	7,298	16,600	956	24,854
2007	10,134	13,457	13	23,604
2008	8,481	5,086		13,567
2009	4,024	3,938		7,962

Health and Safety Regulations.

158. **Deputy Aengus Ó Snodaigh** asked the Tánaiste and Minister for Enterprise, Trade and Employment if all the portable electrical equipment in her Department, funding groups and subsidiary companies have portable appliance test certificates as required by the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007; if not, the reason for same; if her attention has been drawn to the fact that a PAT must be carried out on all moveable electrical equipment in offices, centres and so on, to ensure the safety and welfare of both employees and employers; if her further attention has been drawn to the fact that records of all such tests must be kept for at least five years to allow the Health and Safety Authority to carry out random spot checks and that insurance companies and underwriters are already seeking proof of compliance prior to renewal of policies; and if she will make a statement on the matter. [6457/10]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan):

According to the definition of portable electrical equipment in the Safety, Health and Welfare at Work (General Application) Regulations 2007, the only portable electrical equipment used by my Department and the Offices of my Department would be floor cleaning equipment such as vacuum cleaners and buffers. For this type of electrical equipment there is an obligation on the Department and other employers to ensure that any such equipment, which is exposed to conditions likely to cause deterioration and consequent danger, undergoes a visual check by the user/employee and is periodically inspected by a person competent to assess the ongoing safety of the equipment.

Not all portable electrical equipment used at a workplace requires a test certificate according to the Health & Safety Authority. In cases where the equipment is subject to conditions causing deterioration then the equipment and associated leads and plug tops must be tested and certified by a person competent to carry out such tests. If the certificate issued by the competent person indicates that the equipment is unsafe to use, then that equipment must not be used until it has been made compliant and has been certified as such.

Following advice received from an outside competent person in the Health & Safety area, the relevant staff of my Department and the Offices of my Department have been required for the past few years to carry out visual checks prior to using portable electrical equipment in order to ensure, as far as is reasonably practicable, that such equipment is safe to use. It is the policy of my Department to ensure that a competent person carries out inspections on any portable equipment used by relevant staff in the Department and the Offices of the Department following a visual check by a staff member who may have concerns on safety grounds or following a Risk Assessment and any such equipment is not used by staff of the Department until it has been certified as safe to use by the competent person.

Job Losses.

159. **Deputy Michael McGrath** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she will respond to correspondence received from an individual (details attached) in relation to a proposal to organise a seminar associated with securing employment. [6473/10]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary): I am aware of the correspondence enclosed with the Deputy's question, which was sent separately to the Department. It is being studied and will be replied to substantively in due course. Regarding the specific issue of the DELL and related redundancies in Raheen in January 2009, FÁS has provided guidance service and training courses to over 1,500 workers made redundant. Enterprise Ireland and the local Vocational Education Committees also continue to promote and offer their business advice, grant aid and educational services. A number of affected workers have already enrolled on training courses and in further and third level education at institutions in the Mid-West region to date.

To ensure that all relevant supports across all service providers are coordinated in a timely and effective manner any private service provider seeking to assist DELL workers — as referred to in the attachments to the Deputy's question — should in the first instance contact the FÁS European Globalisation Fund Coordination Unit (FECU) on 061 487900.

FÁS Training Programmes.

160. **Deputy Brian O'Shea** asked the Tánaiste and Minister for Enterprise, Trade and

[Deputy Brian O'Shea.]

Employment, further to Parliamentary Question No. 189 of 2 February 2010, her plans to rectify the issue outlined in the question. [6612/10]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): As I said in my earlier reply, FÁS training allowances are aligned to a person's entitlement to supports for jobseekers and Department of Social and Family Affairs rules. Consequently, where a trainee is entitled to a DSFA benefit at course commencement, he/she will receive a FÁS training allowance for the duration of the training course. If a trainee is not entitled to a DSFA benefit at the commencement of the training course then he or she will not receive a training allowance.

Employment Rights.

161. **Deputy Willie Penrose** asked the Tánaiste and Minister for Enterprise, Trade and Employment if her attention has been drawn to the fact that workers here are being denied their rights due to the inadequate transposition of the EU directive on part-time work; the steps she will take to ensure that clause 5.3 of the directive is implemented; and if she will make a statement on the matter. [6658/10]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary): I am satisfied that Clause 5.3 of Council Directive 97/81/EC concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC, has been correctly transposed by way of the Protection of Employees (Part-Time Work) Act 2001. I note that this is confirmed by a 2003 report on the implementation of the Directive undertaken by the European Commission's services. Clause 5.3 of the Framework Agreement is not a mandatory provision. It requires that, as far as possible, an employer should give consideration to a request by workers to transfer from full-time work to part-time and vice-versa. Ireland has, accordingly, met its responsibilities in relation to transposition of this clause of the Framework Agreement by way of a Code of Practice implemented under Section 13 of the Protection of Employees (Part-Time Work) Act 2001.

The Labour Relations Commission prepared a code of practice, based on the provisions in Section 13 of the Protection of Employees (Part-Time Work) Act 2001, following consultation with the social partners. It was deemed to be a code of practice and implemented, in 2006, by the Industrial Relations Act 1990 (Code of Practice on Access to Part-Time Working) (Declaration) Order 2006 (S.I. No. 8 of 2006). Under Section 42(4) of the Industrial Relations Act 1990, the code is admissible in evidence in any proceedings before a court, the Labour Court, the Labour Relations Commission, the Employment Appeals Tribunal or the Equality tribunal.

162. **Deputy Chris Andrews** asked the Tánaiste and Minister for Enterprise, Trade and Employment if a company (details supplied) refuses to comply with the Labour Court recommendations, the next steps that can be taken by the employees' union; if there is any recourse for companies that refuse to comply with Labour Court recommendations, having gone through the process; if not, the reason for same; and if she will make a statement on the matter. [6715/10]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary): The industrial dispute involving workers from the company in question resulted from workers' concerns over the company's cost cutting proposals, involving redundancies and the introduction of new contracts of employment for the remaining workforce. The issues were

referred to the Labour Court under section 20(1) of the Industrial Relations Act 1969 and the union undertook to be bound by the Court's recommendation. The Labour Court hearing took place on the 28th September, 2009. The company did not attend the Court hearing, but provided a written statement setting out its position on the matters in dispute. The Labour Court issued its recommendation on 12 October 2009.

The Labour Court recommended that the company should pay redundancy terms of 6 weeks pay per year of service, inclusive of statutory entitlement. Any outstanding issues that could not be agreed between the parties, including the issue of selection criteria for redundancy, should be referred to an Arbitrator for final decision. I understand that the company agreed to accept the Labour Court Recommendation. Subsequently, a resolution to several issues in dispute was achieved at talks between the company and the union. In November 2009, the Labour Court nominated Mr Finbarr Flood as Arbitrator to consider the remaining outstanding issues. The Arbitrator met with the parties and issued his final and binding decision to the parties.

The Labour Court is a court of last resort in the industrial relations process, and it is expected that the parties come to the process in good faith and consequently are prepared to give serious consideration to the Court's recommendations. Ultimately, however, responsibility for the resolution of trade disputes is a matter for the parties involved. In my view, the experience and expertise of the Labour Court undoubtedly offers the best avenue for resolving the issues in this difficult dispute. In this context, I would urge the company to give positive consideration to the Court's recommendation on the dispute and to abide by the final decision made by the arbitrator appointed by the Court in this matter. In view of renewed contacts that I understand to have been pursued in a constructive spirit between the parties subsequent to the Labour Court's recommendation, I would urge all concerned to bring that same spirit to bear on the current situation.

FÁS Training Programmes.

163. **Deputy Michael Ring** asked the Tánaiste and Minister for Enterprise, Trade and Employment if she will ascertain from FÁS if the changes announced in the budget 2010 regarding FÁS training allowances apply to course participants that were on training courses prior to the changes being introduced; and if she will make a statement on the matter. [6737/10]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary): FÁS trainee allowances are directly linked to Department of Social and Family Affairs (DSFA) benefits received by those persons who are unemployed. Consequently, any change to the rate of DSFA benefits is also applied to FÁS trainees, including those who may have already been enrolled on a FÁS training course prior to the 2010 Budget adjustments.

Small Claims Court.

164. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment, further to Parliamentary Question No. 213 of 26 January 2010, her views on creating an exemption to such a requirement in relation to usage of the Small Claims Court procedure by limited companies; and if she will make a statement on the matter. [6782/10]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): A consequence of the corporate right to sue and be sued is that a company cannot appear in court except through its solicitor or counsel, (unless the company is being prosecuted on indictment when it may appear in court by a representative appointed by the company). In the Battle

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v Irish Art Promotion Centre Ltd [1968] IR252, the Supreme Court refused such an application on the basis that the company was a different person, separate and distinct from its controlling shareholder. The Court also said that “a limited company cannot be represented in court proceedings by its managing director or other officer or servant. This is an infirmity of the company which derives from its very own nature. The creation of the company is the act of its subscribers; the subscribers, in discarding their own personae for the persona of the company, doubtless did so for the advantages which incorporation offers to traders. In seeking incorporation they thereby lose the right of audience which they would have as individuals; but the choice has been their own.”

As I indicated in my response to Parliamentary Question No. 213 of 26 January 2010, the Supreme Court decision in the Battle’s case is settled law here for some time, I am reluctant to undertake any review of the matter in the absence of some compelling grounds or demonstrated need for doing so. Notwithstanding the foregoing I understand that my colleague the Minister for Justice, Equality and Law reform has with effect from 11 January 2010, introduced new Court Rules to extend the current remit of the Small Claims Court procedure to include certain business claims. The new rules will facilitate claims from a business against another business in respect of goods or services not exceeding €2,000.

Community Employment Schemes.

165. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Enterprise, Trade and Employment if FÁS records the educational attainment of those individuals entering community employment schemes; if so, if she will detail the educational attainment of individuals entering community employment schemes in 2007, 2008 and 2009; and if she will make a statement on the matter. [6792/10]

Minister of State at the Department of Enterprise, Trade and Employment (Deputy Dara Calleary): The table below sets out by number the educational attainment levels of those individuals entering Community Employment schemes in 2007, 2008 and 2009.

Education	2007	2008	2009
Primary/none/no information	5,248	4,413	3,686
Junior	3,514	3,196	3,429
Leaving	2,329	2,357	2,593
Level 6 Higher Certificate	1,112	1,052	1,008
Level 7 Ord. Bachelor Degree	442	368	383
Level 8 Hon. Bachelor Degree	299	276	288
Level 9 Masters Degree/Post Grad Dip.	22	49	90
Level 10 Doctoral Degree/Higher Doctorate	1	1	1
	12,967	11,712	11,478

Departmental Programmes.

166. **Deputy Fergus O’Dowd** asked the Tánaiste and Minister for Enterprise, Trade and Employment the number of civil and public servants that have signed up for the cycle to work scheme; the cost of the scheme to date in 2010. [7573/10]

Tánaiste and Minister for Enterprise, Trade and Employment (Deputy Mary Coughlan): The number of staff in my Department and in the Offices of my Department who have signed up

for the cycle to work scheme is 28. While the scheme is cost neutral to my Department, the total paid to date amounts to €20,988.79. I have no information about the take up of the scheme in the State Agencies that come under the aegis of my Department as that is a day to day administrative matter for each of the State Agencies.

Tax Code.

167. **Deputy Aengus Ó Snodaigh** asked the Minister for Finance if he has had any discussions on the ring-fencing of the tax on betting for the purpose of the Horse and Greyhound Racing Fund; his views whether it would be appropriate to ring-fence the moneys accruing from the Criminal Assets Bureau activities to the Exchequer for the purposes of community development or drugs projects in the areas affected by criminal drugs gangs and their activities. [6356/10]

186. **Deputy Aengus Ó Snodaigh** asked the Minister for Finance his views on the ring-fencing of the tax on betting for the purposes of the Horse and Greyhound Racing Fund; his further views whether it would be appropriate to ring-fence the moneys accruing from Criminal Assets Bureau activities to the Exchequer for the purposes of community development or drugs projects in the areas affected by criminal drugs gangs and their activities. [6357/10]

Minister for Finance (Deputy Brian Lenihan): I propose to take Questions Nos. 167 and 186 together.

The Deputy may wish to note that the 2009 Budget publications announced that arrangements would end whereby the annual payment to the Horse and Greyhound Racing Fund would be automatically calculated by reference to the previous year's betting duty or the contribution to the Fund in the year 2000 adjusted for inflation. On the general question of ring-fencing funds, earmarking revenues for a specific expenditure programme would, in general, constrain the government in the implementation of its overall expenditure policy. In addition, if certain revenues were earmarked for particular projects any projects thus funded would be dependent on actual revenue collected from that source. Therefore, a fall in revenue generated by that source could imply a fall in expenditure on such projects.

I should point out that the proceeds from CAB are returned to the Exchequer. These funds are held in the Central Fund which is provided for under Article 11 of the Constitution. This fund, except where provided otherwise by law, is the destination of all State revenues and the source of all Government spending. It is not the policy to earmark funds from particular sources for specific projects. Furthermore, it is indeed a matter for Ministers in the first instance to prioritise their spending programmes in a cost effective way within the resources allocated to them.

168. **Deputy Joe McHugh** asked the Minister for Finance if he will respond to a proposal (details supplied) that is designed to generate revenue for the Exchequer and promote enterprise opportunities for Irish purveyors of such services; and if he will make a statement on the matter. [6061/10]

Minister for Finance (Deputy Brian Lenihan): I have no plans to introduce a port tax on international lorries coming into the state.

Decentralisation Programme.

169. **Deputy Ruairí Quinn** asked the Minister for Finance the percentage of civil and public servants that have moved location under the decentralisation programme; the absolute number

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of civil and public servants that have moved location; the locations of all decentralised civil and public service offices to date; the position regarding the decentralisation programme; and if he will make a statement on the matter. [6063/10]

Minister for Finance (Deputy Brian Lenihan): Just over 3,000 posts have relocated to date under the decentralisation programme, to almost 40 locations. Moves to Buncrana (Department of Social and Family Affairs) and to Trim (OPW) are under way at present and the buildings at Wexford (Department of Environment, Heritage and Local Government) and Newbridge (Department of Defence) are expected to be ready for occupation by the Summer. This will bring the total number of staff moved under the programme to approximately 3,400 during the first half of this year. The project in Roscommon Town has commenced and I am hopeful that project in Tipperary Town and Portlaoise will commence in 2010.

In light of the budgetary constraints and affordability issues, I decided in the context of the Budget in December 2009 to defer proceeding with permanent accommodation in respect of the following priority projects: Carlow (Department of Enterprise Trade & Employment); Mullingar (Department of Education & Science); The Curragh (Defence Forces); Claremorris (Office of Public Works); Charlestown (Department of Community Rural & Gaeltacht Affairs); and Drogheda (Department of Social & Family Affairs). All deferred locations will be considered as part of an overall review of the programme in 2011. Full details in respect of the total number of posts due to move, the posts moved and the posts deferred, as well as the property status of each project, are set out in the attached table. The Government's policy on public service numbers has impacted on overall numbers and has led to a reduction in numbers across individual locations.

Location	Organisation	Total Posts	Total Posts deferred	Posts Moved	Posts yet to Move	% moved at December 2009	Property Status
Arklow	NSAI	124	124			0%	Deferred — to be reviewed in 2011
Athlone	Education & Science	88		88		100%	Complete
Athlone	Higher Education Authority	64	64			0%	Deferred — to be reviewed in 2011
Athy	Office of the Revenue Commissioners	253	180	73		29%	Advance party in place — to be reviewed in 2011
Ballina	Road Safety Authority	62		62		100%	Complete
Ballinasloe	National Roads Authority	110	110			0%	Deferred — to be reviewed in 2011
Birr	FÁS	398	378	20		5%	Advance party in place — to be reviewed in 2011
Buncrana	Social & Family Affairs	102		87	15	85%	Complete
Carlow	Enterprise Trade & Employment	257	154	103		40%	Advance party in place — to be reviewed in 2011
Carrick-on-Shannon	Central Fisheries Board	54	54			0%	Deferred — to be reviewed in 2011
Carrick-on-Shannon (Phase I)	Social & Family Affairs	159		159		100%	Complete
Carrick-on-Shannon (Phase II)	Social & Family Affairs	90	90			0%	Deferred — to be reviewed in 2011
Carrickmacross	Social & Family Affairs	85	85			0%	Deferred — to be reviewed in 2011
Cavan	Communications, Energy & Natural Resources	301	244	57		19%	Advance party in place — to be reviewed in 2011
Cavan/Portlaoise/Galway	HIQA	80	80			0%	Deferred — to be reviewed in 2011
Charlestown	Community Rural & Gaeltacht	164	64	100		61%	Advance party in place — to be reviewed in 2011
Claremorris (Phase I)	Office of Public Works	104	73	31		30%	Advance party in place — to be reviewed in 2011
Claremorris (Phase II)	Office of Public Works	38	38			0%	Deferred
Clifden	Pobal	42	17	25		60%	Advance party in place — to be reviewed in 2011
Clonakilty	Agriculture, Fisheries & Food	86		85	1	99%	Complete
Clonakilty	BIM	90		18	72	20%	Complete
Clonakilty	Sea Fisheries Protection Authority	47		47		100%	Complete
Cork	HIQA	100		44	56	44%	Complete
Curragh	Defence Forces	413	413			0%	Deferred — to be reviewed in 2011

Location	Organisation	Total Posts	Total Posts deferred	Posts Moved	Posts yet to Move	% moved at December 2009	Property Status
Donegal	Social & Family Affairs	258	258			0%	Deferred — to be reviewed in 2011
Drogheda	Transport	37	37			0%	Deferred — to be reviewed in 2011
Drogheda	Citizens Information Board	49	49			0%	Deferred — to be reviewed in 2011
Drogheda	Local Government Computer Service Board	101	101			0%	Deferred — to be reviewed in 2011
Drogheda	Railway Safety Commission	16	16			0%	Deferred — to be reviewed in 2011
Drogheda	Social & Family Affairs	499	499			0%	Deferred — to be reviewed in 2011
Dundalk	Sustainable Energy Ireland	34	23	11		32%	Advance party in place — to be reviewed in 2011
Dungarvan	OSI	206	206			0%	Deferred — to be reviewed in 2011
Edenderry	FETAC	44	44			0%	Deferred — to be reviewed in 2011
Edenderry	HETAC	34	34			0%	Deferred — to be reviewed in 2011
Edenderry	NQAI	18	18			0%	Deferred — to be reviewed in 2011
Enniscorthy	Bord Bia	76	76			0%	Deferred — to be reviewed in 2011
Fermoy	Agriculture Fisheries & Food	100	100			0%	Deferred — to be reviewed in 2011
Gaoth Dobhair (Phase I)	Foras Na Gaeilge	5			5	0%	Approved by Government to proceed
Gaoth Dobhair (Phase II)	Foras na Gaeilge	25	25			0%	Deferred — to be reviewed in 2011
Kanturk	Office of Public Works	88	88			0%	Deferred — to be reviewed in 2011
Kildare	Office of the Revenue Commissioners	380	380			0%	Deferred — to be reviewed in 2011
Kildare (Naas)	Finance — CMOD	30	30			0%	Deferred — to be reviewed in 2011
Kilkenny	Environment, Heritage & Local Government	62	62			0%	Deferred — to be reviewed in 2011
Kilkenny	Arts Council	49	49			0%	Deferred — to be reviewed in 2011
Killarney	Arts, Sports & Tourism	103		79	24	77%	Complete
Killarney	Irish Sports Council	31	31			0%	Deferred — to be reviewed in 2011
Kilrush	Office of the Revenue Commissioners	57		57		100%	Complete
Limerick	Foreign Affairs	134		134		100%	Complete
Listowel	Office of the Revenue Commissioners	52		52		100%	Complete

Location	Organisation	Total Posts	Total Posts deferred	Posts Moved	Posts yet to Move	% moved at December 2009	Property Status
Longford	Irish Prison Service	133		133		100%	Complete
Loughrea	Road Safety Authority	40		40		100%	Complete
Loughrea	Transport	10		10		100%	Complete
Macroom	Agriculture Fisheries & Food	100	100			0%	Deferred — to be reviewed in 2011
Mallow	Fáilte Ireland	163	163			0%	Deferred — to be reviewed in 2011
Mitchelstown	CIÉ Group	200	200			0%	Deferred — to be reviewed in 2011
Monaghan	Combat Poverty Agency	25	25			0%	Deferred — to be reviewed in 2011
Mullingar	Education & Science	297	290	7		2%	Deferred — to be reviewed in 2011
Na Forbacha	Community, Rural and Gaeltacht Affairs	13		12	1	92%	Complete
Naas	IAASA	13		12	1	92%	Complete
Naas	Health Service Executive	300	300			0%	Deferred
Navan	Coroners Service	4		4		100%	Complete
Navan	Garda Civilian HR Division	38		38		100%	Complete
Navan	National Property Services Regulatory Authority	9		9		100%	Complete
Navan	Office of the Director of Probation Service	15		15		100%	Complete
Navan	Office of the Revenue Commissioners	100		100		100%	Complete
New Ross	Environment, Heritage & Local Government	125	125			0%	Deferred — to be reviewed in 2011
Newbridge	Defence	201			201	0%	Approved by Government to proceed
Newbridge	Defence Forces HQ	43			43	0%	Approved by Government to proceed
Newcastlewest	Office of the Revenue Commissioners	52		52		100%	Complete
Portarlington	Data Protection Commissioner	23		23		100%	Advance party in place — to be reviewed in 2011
Portarlington (<i>advance party in Portlaoise</i>)	Equality Tribunal (civil service)	42	34	8		19%	Deferred — to be reviewed in 2011

Location	Organisation	Total Posts	Total Posts deferred	Posts Moved	Posts yet to Move	% moved at December 2009	Property Status
Portarlington (<i>advance party in Portlaoise</i>)	NCCA (civil service)	37	25	12		32%	Deferred — to be reviewed in 2011
Portarlington	NEWB	14	14			0%	Deferred — to be reviewed in 2011
Portlaoise	Agriculture, Fisheries & Food	595		310	285	52%	Approved by Government to proceed
Roscommon	Property Registration Authority	230		77	153	33%	Approved by Government to proceed
Roscrea	Equality Authority	41	25	16		39%	Advance party in place — to be reviewed in 2011
Roscrea	Garda Ombudsman Commission	23	23			0%	Deferred — to be reviewed in 2011
Shannon	Enterprise Ireland ¹	292	226	66		23%	Advance party in place — to be reviewed in 2011
Shannon	Irish Aviation Authority	102	102			0%	Deferred — to be reviewed in 2011
Sligo	Social & Family Affairs	88		72	16	82%	Complete
Thomastown	Health and Safety Authority	116	83	33		28%	Advance party in place — to be reviewed in 2011
Thurles	Garda HQ — Fixed Charge Processing Section	132	66	66		50%	Advance party in place — to be reviewed in 2011
Thurles	Garda HQ — Garda Central Vetting Office	67		67		100%	Advance party in place — to be reviewed in 2011
Tipperary Town	Private Security Agency	32		32		100%	Complete
Tipperary Town	Justice, Equality & Law Reform	186		63	123	34%	Approved by Government to proceed
Trim	OPW	334		222	112	66%	Complete
Tullamore	Finance	130		122	8	94%	Complete
Waterford	Environment, Heritage & Local Government	225	225			0%	Deferred — to be reviewed in 2011
Wexford	National Building Agency	63	63			0%	Deferred — to be reviewed in 2011
Wexford	Environment, Heritage & Local Government	270		128	142	47%	Approved by Government to proceed
Youghal	Public Appointments Service	100	100			0%	Deferred — to be reviewed in 2011
Youghal	Valuation Office	100	100			0%	Deferred — to be reviewed in 2011
		10,922	6,583	3,081	1,258	28%	

¹Includes 40 Shannon Development posts absorbed into EI.

Financial Services Regulation.

170. **Deputy Finian McGrath** asked the Minister for Finance if he will support a matter (details supplied). [6121/10]

195. **Deputy Phil Hogan** asked the Minister for Finance his plans for persons who cannot repay their mortgage and are unable to sell their homes to clear their debt while building societies and banks want loans paid at high level fixed rates regardless of affordability; and if he will make a statement on the matter. [6503/10]

Minister for Finance (Deputy Brian Lenihan): I propose to take Questions Nos. 170 and 195 together.

Home repossession should be and generally is the last resort for the lender. The preferred method of dealing with cases of arrears should be early intervention and engagement. In the revised Programme for Government we have stated that we will be:

- Introducing new measures to protect families having difficulties with their home mortgage payments;
- Examining ways of expanding the existing options available for dealing with debt situations;
- Examining ways of expanding existing state sponsored mortgage-support measures.

I approved the setting up of the Inter-Departmental Mortgage Arrears Review Group, chaired by one of my officials, for the purpose of bringing together all relevant information in Departments and examining options, including initiatives in other jurisdictions, in relation to the matter of support for home owners facing the problems of mortgage arrears and repossessions. The Law Reform Commission (LRC) which is under the aegis of my colleague the Minister for Justice, Equality, and Law Reform is addressing the issues of debt management and enforcement. In addition I have been discussing with Cabinet colleagues possible further initiatives in this matter and will in due course be bringing proposals to Government.

Other arrangements in place to assist consumers who have fallen into arrears or are in danger of falling into arrears include the Mortgage Interest Supplement Scheme, which provides assistance where the mortgage relates to a person's principal private residence, and MABS which provides a national, free, confidential and independent service. The Financial Regulator's Consumer Protection Code requires that a regulated entity must contact the consumer as soon as it becomes aware that a mortgage account is in arrears and that it must have in place a procedure for handling accounts in arrears.

In response to the continuing difficulties being faced by mortgage holders, the Financial Regulator has written to all mortgage lenders informing them that with effect from 17 February 2010, the Code of Conduct on Mortgage Arrears has been amended to require that lenders must now wait twelve months from the time arrears first arise before applying to the courts to commence enforcement of any legal action on repossession of a borrower's primary residence. Contraventions of the Code may be subject to the imposition of administrative sanctions by the Financial Regulator. The requirements of the Consumer Protection Code, including those on mortgage arrears, continue to apply. The updated code and letter issued to institutions on Friday is available on the website at <http://www.financialregulator.ie/processes/consumer-protection-code/Pages/codes-of-conduct.aspx>.

Departmental Procurement.

171. **Deputy Joe McHugh** asked the Minister for Finance the companies that have been granted contracts for projects worth more than €10 million in the period 2000 to 2010. [6147/10]

182. **Deputy Joe McHugh** asked the Minister for Finance the companies that have been granted contracts for projects worth more than €15 million in the period 2000 to date in 2010. [6319/10]

Minister for Finance (Deputy Brian Lenihan): I propose to take Questions Nos. 171 and 182 together.

The table below sets out the details of contracts granted by my Department and by the offices under its aegis, for projects worth more than €10 million in the period 2000 to date in 2010.

Contracts for projects worth more than €10m granted in the period 2000 to 2010

Office	Date	Company Name	Contract Value	Brief outline of the project
Office of the Minister for Finance	08/05/2002	Consortium comprising <i>eircom</i> and Vodafone	Not possible to quantify as it is a drawdown facility but aggregated drawdowns likely to significantly exceed €10m	5 year central drawdown contract for all public bodies to source voice and data telecommunications services.
Office of the Minister for Finance	01/05/2008	Tetra Ireland	Not possible to quantify as it is a drawdown facility but aggregated drawdowns likely to significantly exceed €10m	10-year central drawdown contract for all emergency and security services to source highly secure digital radio voice and data communications
Office of the Revenue Commissioners	2003-2006	Accenture	€18m	Root and branch redesign of the PAYE Employees and P35 systems and their related interfaces internally and to other departments. Re-platforming of the new system off the legacy mainframe computer and on to open servers. Incorporation in Revenue Integrated Taxation Services and Revenue On-Line Services frameworks.

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The State Laboratory, the Office of the Appeals Commissioner, the Valuation Office, the Public Appointments Service and the Commission for Public Service Appointments did not grant any such contracts during the period in question. In the time available the Office of Public Works was unable to provide the information requested. The information is being collated by that office and will issue directly to the Deputy.

European Bank for Reconstruction and Development.

172. **Deputy Joe Costello** asked the Minister for Finance the functions of the European Bank for Reconstruction and Development; the business loans which Ireland has with the bank; and if he will make a statement on the matter. [6155/10]

Minister for Finance (Deputy Brian Lenihan): The European Bank for Reconstruction and Development (EBRD) was established in 1991 to provide finance to help build market economies in the former Soviet Bloc countries following the fall of Communism. In more recent times the mandate of the Bank has been expanded to allow lending in Mongolia and Turkey. The EBRD provides project finance and equity for banks, industries and businesses, both new ventures and existing companies. It also works with publicly-owned companies to support privatisation, the restructuring of state-owned firms and the improvement of infrastructure. Ireland joined the EBRD as a founding member in 1991 but cannot borrow from the Bank in view of the Bank's mandate.

Tax Code.

173. **Deputy Kieran O'Donnell** asked the Minister for Finance the implications for parents intending to transfer ownership of a site or land to their children on foot of proposed changes in this area under the Finance Bill 2010; and if he will make a statement on the matter. [6159/10]

Minister for Finance (Deputy Brian Lenihan): Transfers from a parent to a child of a site not exceeding one acre in size and €500,000 in value are exempt from both Capital Gains Tax and Stamp Duty, where the site is to be used to build the child's only or main residence. The Commission on Taxation recommended the abolition of these exemptions (recommendation 8.20). The Government considered this and other recommendations of the Commission in the context of Budget 2010 and Finance Bill 2010 but it was decided not to address these matters at this stage.

Public Sector Pay.

174. **Deputy Joan Burton** asked the Minister for Finance the number of decisions he has taken under section 6 of the Financial Emergency Measures in the Public Interest (No. 2) Act 2009 by direction to exempt a particular public servant or a class or group of public servants from the operation of section 2 of that Act or to modify the operation of that section, indicating the particular public servant or class or group of public servants involved; the nature of the exemption or modification involved; the dates on which any relevant decision was made; the nature of submissions made to him in relation to such decisions; and if he will make a statement on the matter. [6164/10]

178. **Deputy Leo Varadkar** asked the Minister for Finance his views on section 6 of the Financial Emergency Measures in the Public Interest (No. 2) Act 2009 regarding the position

of contract researchers in the higher education sector; and if he will make a statement on the matter. [6225/10]

Minister for Finance (Deputy Brian Lenihan): I propose to take Questions Nos. 174 and 178 together.

I refer to my reply to Questions Nos. 4758/10, 5095/10 and 5137/10 on 2 February 2009. I directed under Section 6 of the Financial Emergency Measures in the Public Interest No. 2 Act 2009 that the pay adjustments should be modified in respect of Assistant Secretary, Deputy Secretary and related grades in the civil and public service on 22 December 2009 and on 18 January 2010, and that an exemption from the pay reductions should apply in respect of public service employees that may be paid at or near the statutory minimum wage on 27 January 2010.

Public Service Recruitment.

175. **Deputy Frank Feighan** asked the Minister for Finance, further to Parliamentary Question No. 89 of 3 December 2009, the way a person with a disability ensures that their attention is drawn to vacancies and when they must apply in order that they are considered under the 3% target for employment in the public service for persons with disability. [6169/10]

Minister for Finance (Deputy Brian Lenihan): As stated in my reply to the Deputy on 3 December 2009, the position in relation to the opportunities for employment to the Public Service generally is limited by the recruitment and promotion moratorium which was announced on 27 March last year, but the moratorium does not apply to the “Willing, Able, Mentoring Programme” and the 3 per cent target for employment for persons with disabilities. Recruitment to positions in the Civil and Public Service is carried out by the Public Appointments Service, the central recruitment agency for the Civil and Public Service and conducted in strict compliance with the Codes of Practice set out by the Commission for Public Service Appointments. Codes include the “Code of Practice governing the External and Internal Appointments of Persons with Disabilities to Positions in the Irish Civil Service and Certain Public Bodies”.

All posts are advertised on the Public Appointments Service website www.publicjobs.ie and in relevant national newspapers. Candidates interested in pursuing a career in the Civil and Public Service may register as a member of the Public Jobs website. They can apply for jobs online and register for updates on new Public Service opportunities. Once registered they can receive job alerts matching their requirements via email and/or SMS text alerts. Candidates with a disability can apply for any post for which they are eligible. When registering with the website, applicants can indicate if they have any special needs and every attempt is made to provide the accommodations that might be required during the assessment process. All vacancies specify in the advertisement the closing date for receipt of applications.

The Deputy may wish to note that the Public Appointments Service has an Access Officer who can provide or arrange for and co-ordinate the provision of assistance and guidance to persons with disabilities accessing its service. I can assure the Deputy that the Government gives a high priority to policy on the employment of people with disabilities. All reasonable measures to promote and support the employment of people with disabilities continue.

The Public Appointment Service, on behalf of the Civil Service, has held recruitment competitions confined to persons with disabilities. The most recent competition was at Executive Officer level advertised in March 2007. In an effort to attract as many applicants as possible for this recruitment competition the advertisement was sent to a number of voluntary organisations

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representing people with disabilities. It was also advertised on the Public Jobs website, in national newspapers and was issued to each Government Departments' Disability Liaison Officer.

Officials in my Department consult with organisations that provide sheltered and supported employment to persons with disabilities. As a practical example, all Government Departments and Offices in the Civil Service participated in the Irish Association of Supported Employment Annual Job Shadow Initiative 2009. This national project is designed to bring together people with disabilities and local employers in the spirit of collaboration to enable job seekers explore the world of work. The initiative gives people with disabilities the unique opportunity to shadow a workplace mentor as he/she goes through their working day. It is envisaged that through exposure to a work setting, job seekers throughout Ireland will learn more about job requirements and employers expectations.

In addition, a number of Government Departments and Offices in the Civil Service are involved in a work experience graduate programme for persons with disabilities, known as "Willing, Able, Mentoring" (WAM) for the past six years. This programme gives practical effect to Government and Civil Service policy on improving employment prospects for persons with disabilities. This programme is not subject to the moratorium.

As the Deputy is aware the 3 per cent target for employment of persons with disabilities in the Public Service remains in place, notwithstanding the recruitment and promotion moratorium. The recent 2008 report published by the National Disability Authority stated that all Government Departments in the Civil Service achieved or exceeded the 3 per cent employment target in compliance with Part 5 of the Disability Act 2005. In relation to other areas of the Public Sector, each Minister is responsible for compliance with and reporting on the target set in the Disability Act 2005 for the employment of persons with disabilities in public bodies under his or her aegis.

Departmental Properties.

176. **Deputy Damien English** asked the Minister for Finance the buildings that his Department is renting and leasing for which a building energy rating certificate has been issued; a building energy rating certificate has not been issued; and the rating for each building where a certificate has been issued. [6186/10]

Minister of State at the Department of Finance (Deputy Martin Mansergh): All buildings offered for rent or lease from 1 January 2009 require a Building Energy Rating (BER) certificate. In addition to this requirement, all large Public Service buildings require a BER certificate in a prescribed form, so called Display Energy Certificate (DEC). For a building being offered for rent or lease it is the responsibility of the Landlord or his Agent to provide the BER certificate. Schedule 1 attached, lists the buildings leased by the Office of Public Works (OPW) since 1 January 2009. The OPW does not hold records of the BER Certificates for these buildings. The OPW has prepared Display Energy Certificates for the large rented/leased buildings listed in Schedule 2. Large leased/rented buildings for which Display Energy Certificates are currently being compiled are listed in Schedule 3.

Schedule 1

Building Name	Location
Carlow CRO Storage	Carlow
Cavan Temp DSFA Office	Cavan
Westpark Business Campus Build 4000	Shannon
Cork HIQA Decent Office	Cork
Bunbeg Temporary Garda Station	Donegal
Dublin Port Crosbies Yard DAF	Dublin 3
Smithfield Office of Film Classification	Dublin 7
Dublin Airport Terminal Building	Dublin
Swords Temporary DSFA Office	Swords
Swords National Museum Storage	Swords
Ballybane Garda Community Office	Galway
Lettermore GS Temporary	Galway
Portlaoise Agriculture Gandon Court	Portlaoise
Limerick Estuary House	Limerick
Monaghan Revenue MTEK	Monaghan
Wexford Temporary Dec Office 2 DEHLG	Wexford
Wexford DTC	Wexford

Schedule 2

Building Name	Department	Rating
29-31 Adelaide Road	Communications, Energy & Natural Resources	E1
6-7 Hanover St	Justice, Equality & Law Reform	D1
85-93 Lower Mount St	Revenue Commissioners	E2
Ashtowngate	Revenue Commissioners	E2
Carrick-on-Shannon DSFA	Social & Family Affairs	C3
Clondalkin SWO	Social & Family Affairs	C3
Customs House	Environment, Heritage & Local Government	C3
Davitt House	Enterprise, Trade & Employment	E
Dept Justice Clonmel St	Justice, Equality & Law Reform	C3
Dockgate Galway	Defence	D1
Gandon House	Social & Family Affairs	E2
Harcourt St (76-78)	Foreign Affairs	F
Houston Hall	Agriculture, Fisheries & Food	D1
Joyce House	Social & Family Affairs	E2
Kildare St (44) & Setanta Building	Transport & Revenue Commissioners	C2
Letterkenny High Road	Revenue Commissioners	E1
Mespil Road	Community, Rural & Gaeltacht Affairs	D2
Oisín House	Social & Family Affairs	F
Revenue Furry Park Santry	Revenue Commissioners	C1
Revenue Johns House Tallaght	Revenue Commissioners	D1
Roscrea Civil Defence School	Defence	D2

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Schedule 3

Building Name	Department
Atlas House — Tralee	Refugee & Integration
Balbriggan Passport Office	Justice, Equality & Law Reform
Burgh Quay (13-14)	Justice, Equality & Law Reform
Carlow Decentralised Offices	Enterprise, Trade & Employment
Clare St (22-25)	Transport
Clonmel Government Offices	Social & Family Affairs
Phoenix House	Courts Service
Dept. Education Punches Cross Limerick	Education & Science
Dún Laoghaire SWO	Social & Family Affairs
Ely Place (7-8)	Environment, Heritage and Local Government
Finglas SWO	Social & Family Affairs
Garda Harcourt Square	Garda Síochána
Harcourt Road (4-5)	Comptroller & Auditor General
Hatch St (13-15)	Justice, Equality & Law Reform
Hibernian House Cork	Agriculture, Fisheries and Food
Hynes Building Galway	Social & Family Affairs
Kings Inn St SWO	Social & Family Affairs
Lansdowne House	Revenue Commissioners
Limerick Revenue Warehouse	Revenue Commissioners
Listowel Revenue	Revenue Commissioners
Lower Grand Canal St	Dept. Justice
Mullingar SWO	Social & Family Affairs
Navan Government Offices	Agriculture, Fisheries and Food
NEPS Mullingar	Education & Science
NEPS Naas	Education & Science
Parnell House	Companies Office
Passport Office Molesworth St	Foreign Affairs
River House — Limerick	Revenue Commissioners
St. Stephen's Green (94)	Justice, Equality & Law Reform
Thomas St SWO	Social & Family Affairs
Timberley House/Ballaugh House	Finance/Refugees Appeals Tribunal
Townsend St (157-164)	Social & Family Affairs
Wicklow Government Offices	Agriculture, Fisheries and Food

Consultancy Contracts.

177. **Deputy Damien English** asked the Minister for Finance the number of external consultants currently working for or in his Department; the work they are carrying out; and if he will make a statement on the matter. [6201/10]

Minister for Finance (Deputy Brian Lenihan): The details of the external consultants currently working for or in my Department/the offices under its aegis, together with a brief outline of the work they are carrying out, is set out in the table:

Office	Details
Office of the Minister for Finance	<p>Arthur Cox has an acknowledged expertise in the field of commercial law and its size allows it to dedicate sufficient resources to the unfolding financial issues of relevance to the section. Arthur Cox Solicitors were initially engaged on 24 September 2008 to provide legal advice in connection with the drafting of the Credit Institutions (Financial Support) Act 2008 and drafting and execution of the Guarantee Acceptance Deeds under the Scheme. Thereafter resources have been concentrated on matters arising in relation to the Scheme following its introduction, the nationalisation of Anglo Irish Bank, NAMA, the Recapitalisation Scheme and the draft legislation on the Building Societies Act.</p> <p>PwC are currently undertaking work for the department on reviewing the Restructuring Plans submitted by BoI, AIB and Anglo Irish Bank to the EU Commission in 2009 and which are subject to ongoing negotiation with the Commission.</p>
Valuation Office	Advice is being received on the preparation of the Appropriation Accounts and the implementation of a new software package
Office of the Commission for Public Service Appointments	<p>Matheson Ormsby Prentice are providing legal advice</p> <p>Institute of Public Administration are providing training and production of an audit manual</p> <p>Tierney & Associates are providing accountings services</p> <p>Noel Ryan & Associates are providing internal audit services</p>
Office of the Revenue Commissioners	<p>There are currently four firms engaged by the Revenue Commissioners to carry out consultancy services in the following areas:</p> <p>Consultancy services in respect of the valuation of motor vehicles and other related services.</p> <p>Consultancy on various HR issues.</p> <p>A Lean Six Sigma review of certain data processing functions.</p>
Office of Public Works	<p>Brooker Consultants are providing services relating to a Quality Management System for our Architectural Services Division.</p> <p>The details provided are in relation to specific consultancies paid for from Subhead A7 — Consultancy. In the course of its normal business activity, the Office of Public Works engages technical consultants on many of its projects, primarily architectural and engineering. The costs of these consultants would be included in the overall project cost.</p>

The Public Appointment Service, the Office of the Appeals Commissioner and the State Laboratory currently have no external consultants working for them.

Question No. 178 answered with Question No. 174.

Ethics in Public Office.

179. **Deputy Leo Varadkar** asked the Minister for Finance the designated positions of employment added to the schedule since the Ethics in Public Office (Designated Position in Public Bodies) Regulations 2004; the designated positions of employment deleted by virtue of the Ethics in Public Office (Designated Position in Public Bodies) (Amendment) Regulations 2010; and if he will make a statement on the matter. [6237/10]

Minister for Finance (Deputy Brian Lenihan): The schedule to S.I. No. 698 of 2004 (Ethics in Public Office (Designated Positions in Public Bodies) Regulations 2004) lists positions of employment in departments and offices that are prescribed for the purposes of the definition of “designated position of employment” in section 18 of the Ethics in Public Office Act 1995.

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Typically, these are positions that interface with the commercial sector, or are involved in public procurement, contracts, etc. This means the Ethics Acts apply, as appropriate, to persons who occupy such positions. Regulation 4 of S.I. No. 698 of 2004 also prescribes for the purposes of “designated position” all positions of employment in departments and offices, in respect of which the maximum salary is not less than the maximum salary of a principal (general service grade, Class B PRSI) in the Civil Service. This means some positions will not appear by name in either the 2004 or the 2010 statutory instruments, as the position is prescribed with reference to its remuneration and not by name.

Each year since the regulations were issued, the schedule has been updated to reflect organisational changes in the Civil Service and to bring within the remit of the Ethics Acts positions of employment in order to ensure, where a conflict of interest could arise between the public interest and an interest of a jobholder, a function will not be performed without the disclosure of that interest. Departments and offices inform my Department of the positions to be prescribed on this basis. This updating process, which keeps the remit of the Ethics Acts up-to-date, has been welcomed by the Standards in Public Office Commission in its annual reports. This annual update process results in the replacement of the Schedule to S.I. No. 698 of 2004 with a new schedule.

Appendix 1 lists positions of employment included in the schedule to the Ethics in Public Office (Designated Positions in Public Bodies) (Amendment) Regulations 2010 (S.I. No. 5 of 2010) that are not included in the schedule to the Ethics in Public Office (Designated Positions in Public Bodies) Regulations 2004 (S.I. No. 698 of 2004).

Appendix 2 lists positions of employment included in the schedule to the Ethics in Public Office (Designated Positions in Public Bodies) Regulations 2004 that are not included in the schedule to the Ethics in Public Office (Designated Positions in Public Bodies) (Amendment) Regulations 2010.

The inclusion of a position of employment in Appendix 2 does not necessarily mean that the position, or that the functions associated with the position, are no longer within the scope of designated positions of employment under the Ethics Acts. For example, certain positions would now be designated under separate regulations made under the Ethics Acts that are applicable to public bodies (i.e. S.I. No. 15 of 2010 (Ethics in Public Office (Prescribed Public Bodies, Designated Directorships Of Public Bodies and Designated Positions in Public Bodies) (Amendment) Regulations 2010). Certain positions may also be described differently in the schedule to S.I. No. 5 of 2010 or may now be prescribed by regulation 4 of S.I. No. 698 of 2004, while other positions may no longer exist.

Appendix 1

Department of Agriculture, Fisheries and Food/An Roinn Talamhaíochta, Iascaigh agus Bia

Assistant Principal Officers, Administrative Officers and Higher Executive Officers dealing with Animal Feedingstuffs, Pesticides, Genetic Resources and the Apiculture Programme in Crop Production and Safety Division and engaged in the recommending or approving of contracts or in the processing of tenders

Assistant Principal Officers, Administrative Officers and Higher Executive Officers in Meat Policy Division

Assistant Principal Officers, Administrative Officers and Higher Executive Officers in Personnel Division, Milk Policy Division and Animal Health and Welfare Division engaged in the recommending or approving of contracts or in the processing of tenders

Assistant Principals in Seafood Policy and Development Division and Higher Executive Officers in Seafood Policy and Development Division whose duties involve fisheries resources management

Assistant Principals and Higher Executive Officers in Services, Health & Safety Division engaged in the recommending or approving of contracts or in the processing of tenders.

Appendix 1

Assistant Principal Officers and Higher Executive Officers in Erad Division/Veterinary Medicines Division, Food Safety Liaison Division, National Beef Assurance Scheme, Corporate Affairs Division, Finance Division and Laboratory Administration Unit engaged in the recommending or approving of contracts or in the processing of tenders

Assistant Principal Officers and Higher Executive Officers dealing with applications, payments and contracts in the Forest Service

Assistant Principal Officers and Higher Executive Officers in Livestock Division involved in making grants in aid to Agri-Food Organisations

Assistant Principal Officers and Higher Executive Officers in On Farm Investments, Subsidies and Storage Division

Assistant Principal Officers and Higher Executive Officers in Internal Audit Unit

Assistant Principal Officers and Higher Executive Officers in the Suckler Herds Section engaged in the recommending, approving of contracts or in the processing of tenders

Superintending Surveyors, Assistant Principal Officers and Higher Executive Officers in the Single Payment Division, engaged in the recommending or approving of contracts or in the processing of tenders

Assistant Principal Officers in the Accounts Division, Meat Hygiene Section and Animal By-Products Section

Assistant Principal Officers, Higher Executive Officers, Area Superintendents and Agricultural Inspectors in the Agriculture Appeals Office

Veterinary Inspectors in the Transmissible Spongiform Encephalopathy and Animal By-Products Division engaged in the recommending or approving of contracts or in the processing of tenders

Agricultural Inspectors, Assistant Agricultural Inspectors, Forestry Research Manager and Forestry Research Coordinator engaged in the recommending of funding under the Food Institutional Research Measure, Stimulus Research Fund and COFORD/Forestry Research Programmes

Tree Improvement and Silviculture Officer

Agricultural Inspectors and Assistant Agricultural Inspectors in Feedingstuffs, Fertilisers, Grain, Pigs and Poultry Division, engaged in the recommending or approving of contracts or in the processing of tenders

Agricultural Inspectors and Assistant Agricultural Inspectors in Integrated Controls Division, engaged in the recommending or approving of contracts or in the processing of tenders

Forestry Inspectors Grade I

Forestry Inspectors Grade II

Forestry Inspectors Grade III

Ecologist Grade III

Archaeologist Grade III

Engineer Grade I

Engineer Grade II

Engineer Grade III

Veterinary Inspectors, Supervisory Agricultural Officer, Technical Agricultural Officers and Market Support Officers carrying out approvals/inspections at meat establishments

District Superintendents engaged in the procurement of factories for the slaughter of reactors and the procurement of hauliers for the transport of reactors

Agricultural Inspectors and Assistant Agricultural Inspectors engaged in the evaluation of varieties under the Crop Variety Evaluation Programme and who also engage in the recommendation of tenders and the purchase of essential equipment for the evaluation programme

Agriculture Inspector engaged in the registration of varieties in the National Catalogue of Agricultural Plant Varieties and in the publication of The Official Journal of National Plant Variety Rights

Agricultural Inspectors in the Potato Centre, Raphoe, the Seed Testing Laboratory and Crops Laboratory engaged in the recommending or approving of contracts or in the processing of tenders

Agricultural Inspectors and Assistant Agricultural Inspectors in Horticulture and Plant Health Division, engaged in the recommending or approving of contracts/grant aid or in the processing of tenders

Agricultural Inspectors and Assistant Agricultural Inspectors in Pesticide Registration and Control Division engaged in the recommending or approving of contracts or in the processing of tenders

Agricultural Inspectors and Assistant Agricultural Inspectors in Pesticide Residues, Plant Health and Seed Testing Laboratory Division engaged in the recommending or approving of contracts or in the processing of tenders

Agricultural Inspectors and Assistant Agricultural Inspectors in the Dairy Science Laboratories at Backweston, Cork and Limerick

Agricultural Inspectors and Assistant Agricultural Inspectors in Seed Testing and Plant Pathology Laboratories

The Chief Technologists, Deputy Chief Technologists, Quality Managers and Senior Seed Analysts

[Deputy Brian Lenihan.]

Appendix 1

Department of Arts, Sport and Tourism/An Roinn Ealaíona, Spóirt agus Turasóireacht

Professional Accountant
 Assistant Principal, Corporate Support Unit
 Assistant Principal, Arts Capital Grants
 Assistant Principal, Director Grants Programmes, Culture Ireland
 Assistant Principal, Local Authority Swimming Pool Programme
 Assistant Principals, Tourism Development
 Assistant Principals, Tourism Marketing Policy and Impact Assessment
 Assistant Principal, Arts, Film and Music
 Assistant Principals, Cultural Institutions
 Assistant Principal, Cultural Institutions Special Projects
 Assistant Principal, Stadium/Sports Campus/Major Projects
 Assistant Principals, Sports Capital Review
 Assistant Principal, Sports Section
 Assistant Principal, Internal Audit Unit
 Assistant Principal, Director of Major Projects and Communications Culture Ireland
 Higher Executive Officer, Corporate Support Unit
 Higher Executive Officer, Arts Capital Grants
 Higher Executive Officer, Local Authority Swimming Pool Programme
 Higher Executive Officers, Tourism Development
 Higher Executive Officers, Tourism Marketing Policy and Impact Assessment
 Higher Executive Officer, Culture Ireland
 Higher Executive Officers, Arts, Film and Music
 Higher Executive Officers, Cultural Institutions
 Higher Executive Officer, Sports Unit
 Higher Executive Officer, Internal Audit Unit

The National Archives/An Chartlann Náisiúnta

ICT Manager
 Assistant Principal Officer

Department of Communications, Energy and Natural Resources/An Roinn Cumarsáide, Fuinnimh agus Acmhainní Nádurtha

Assistant Principals (Corporate Planning & Finance Unit)

Department of Community, Rural and Gaeltacht Affairs/An Roinn Gnóthaí Pobail, Tuaithe agus Gaeltachta

Administrative Officers
 Agricultural Inspector
 Assistant Agricultural Inspector
 Engineer Grade I
 Engineer Grade II
 Chief Placenames Officer
 Higher Placenames Officer
 Placenames Officer
 Translator
 Accountant Grade I

 Appendix 1

Department of Education and Science/An Roinn Oideachais agus Eolaíochta

Assistant Principals, Higher Executive Officers, Executive Officers Information Technology Unit
 Assistant Principals and Higher Executive Officers Accommodation & Services Unit
 Assistant Principals and Training Officer, Staff Training and Development Unit
 Assistant Principals and Higher Executive Officers Personnel Section
 Assistant Principals and Higher Executive Officers Finance Unit
 Higher Executive Officers Internal Audit Unit
 Engineers, Planning and Building Unit

Department of Enterprise, Trade and Employment/An Roinn Fiontar, Trádála agus Fostaíochta*Office of Science and Technology*

— Assistant Principal — Industrial Research & Commercialisation Committee

ESF (European Social Fund) Policy and Operations Unit

— Assistant Principal — Head of ESF Managing Authority
 — Assistant Principal — Head of EQUAL (EQUAL Community Initiative in Ireland) Managing Authority

Personnel, Training and Development Unit

— Assistant Principal — Training and Development
 — Higher Executive Officer — Training and Development
 — Assistant Principal — Personnel
 — Assistant Principal — HR Policy

EU Affairs and Competitiveness Unit

— Accountant Grade 1/Tax Policy Specialist

Information Technology Unit

— Higher Executive Officer/Administrative Officer posts

Internal Audit Unit

— Assistant Principal and equivalent posts
 — Higher Executive Officer and equivalent posts

European Social Fund (ESF) Financial Control Unit

— Assistant Principal and equivalent posts
 — Higher Executive Officer and equivalent posts

Organisation Unit

— Assistant Principal and equivalent posts
 — Higher Executive Officer and equivalent posts
 — Executive Officer posts

Information/Quality Customer Service (QCS) and Health and Safety Unit

— Assistant Principal
 — Higher Executive Officer

Industrial Relations Unit

— Assistant Principal, Social Partnership
 — Higher Executive Officer, Social Partnership

Patents Office/Oifig na bPaitinní

— Senior Examiner of Patents, Patents Office
 — Examiner of Patents, Patents Office
 — Assistant Principal, Trade Marks Branch, Patents Office
 — Assistant Principal, Patents Administration, General Administration and Copyright

[Deputy Brian Lenihan.]

Appendix 1

National Employment Rights Authority/an tÚdarás Náisiúnta Cearta Fostaíochta

- Legal Advisor
 - Assistant Principal, Strategic Affairs
 - Assistant Principals, Inspection Services
 - Assistant Principal, Information Services
 - Accountant
-

Labour Court/An Chúirt Oibreachais

- Administration Manager
 - Higher Executive Officer, Secretariat and Support Services Section
-

Department of the Environment, Heritage and Local Government/An Roinn Comhshaoil, Oidhreachta agus Rialtais Áitiúil

- Inspector (Environment) Grade I
 - Inspector — Building Standards Section
 - Engineering Inspector (Housing Inspectorate)
 - Supervising Inspectors (Housing Inspectorate)
 - Housing Inspectors (Housing Inspectorate)
 - Senior Building Inspectors (Housing Inspectorate)
 - Architectural Inspectors (Housing Inspectorate) whose duties involve advising on design quality and technical aspects of various social housing programmes
 - Planning Inspector — engaged in the recommending or approving of research contracts in relation to the Irish Spatial Data Infrastructure
 - Assistant Principal (Franchise Section) — responsible for procurement in relation to the storage/disposal of electronic voting machines
 - Higher Executive Officer/Administrative Officer (Franchise Section) — responsible for procurement in relation to the storage/disposal of electronic voting machines
 - Assistant Principal (Franchise Section) — responsible for procurement of the annual advertising campaign in relation to the register of electors
 - Higher Executive Officer (Franchise Section) — responsible for procurement of the annual advertising campaign in relation to the register of electors
 - Senior Meteorologist (IT Division, Met Éireann) whose duties involve the management of ICT-related capital and current expenditure at Met Éireann with respect to ICT procurement and associated contracts with ICT suppliers and service providers
 - Senior Meteorologist (Instrumentation and Environmental Monitoring Division, Met Éireann)
 - Senior Meteorologist (Commercial Division, Met Éireann)
 - Assistant Principal (Planning System and Spatial Policy) whose duties involve the procurement of consultants and assessment of European Regional Development Fund (ERDF) funding applications from planning authorities
 - Assistant Principal (Corporate Development-Accommodation) whose duties involve the award of service contracts
 - Assistant Principal (Corporate Development- Decentralisation) whose duties involve the award of service contracts
 - Assistant Principal (Corporate Development-Organisation/Training) whose duties involve the procurement of office equipment and the procurement of training
 - Higher Executive Officer (Corporate Development-Organisation/Training) whose duties involve the procurement of training
 - Higher Executive Officer (Corporate Development-Organisation/Training) whose duties involve the procurement of office equipment
 - Assistant Principal (ICT Unit)
 - Technical Officer (ICT Unit)
 - GIS (Geographical Information Systems) Manager (ICT)
 - Senior Architect (Architectural Heritage Advisory Unit) who acts on behalf of the Minister as statutory consultee under Part IV Planning and Development Act 2000
-

 Appendix 1

Senior Architect (Strategic Development Unit) who acts on behalf of the Minister as statutory consultee under Part IV Planning and Development Act 2000

Senior Architect (National Inventory of Architectural Heritage) whose duties involve the management and development of the National Inventory of Architectural Heritage

Assistant Principal (Heritage Policy and Architectural Protection Section) whose duties involve the National Inventory of Architectural Heritage

Engineering Inspector (Water Inspectorate) whose duties involve the assessment of local authority tender award recommendations for both services and works contracts

Assistant Principal (National Monuments Service) whose duties involve the authorisation or procurement of archaeological services

Archaeologists whose duties involve in the provision of strategic input and recommendations on planning approvals, and in procurement or authorisation of archaeological services

Quantity Surveyor Inspector (Environment)

Senior Assistant Fire Adviser

Assistant Fire Adviser

Department of Finance/An Roinn Airgeadais

Financial Services Division — Assistant Principals/Higher Executive Officers/Administrative Officers

Financial Stability Social Finance Initiative — Assistant Principals/Higher Executive Officers/Administrative Officers

Consolidation/Modernisation of Financial Services Legislation and Advisors Forum — Assistant Principals/Higher Executive Officers/Administrative Officers

National Lottery Section — Administrative Officers

Internal Audit Unit — Administrative Officers

Accommodation and Services — Assistant Principal/Higher Executive Officers

Departmental Training Unit- Assistant Principal/Higher Executive Officers

Central Expenditure Evaluation Unit — Expenditure Evaluator/Assistant Principals

Civil Service Training & Development Centre (CMOD) — Assistant Principals/Higher Executive Officer

Common Systems Unit HRMS, CMOD — Assistant Principal

Office of Public Works/Oifig na hOibreacha Poiblí

Assistant Principal Officer

Senior Architect

Engineer Grade I

Valuer Grade I

Quantity Surveyor Grade I

Professional Accountant Grade I

Chief Technical Officer (Government Supply Agency)

Higher Executive Officers

Architect

Engineer Grade II

Valuer Grade II

Quantity Surveyor Grade II

Professional Accountant Grade II

Librarian

Works Manager

Materials Control & Purchasing Manager

Assistant Chief Technical Officer

Superintendent, Furniture Branch

Chief Inspector of Stores

Inspector of Textiles

[Deputy Brian Lenihan.]

Appendix 1

National Public Procurement Operations Unit

- Director
 - Principal Officers
 - Assistant Principal Officers and equivalent
 - Higher Executive Officers
 - Executive Officers
-

Department of Foreign Affairs/An Roinn Gnóthaí Eachtracha

Assistant Principal/First Secretary Outsourcing, Corporate Development Section, Development Cooperation Directorate

Assistant Principal/First Secretary, Procurement Section, Corporate Services Division

Assistant Principal/Procurement Officer, Irish Aid

Assistant Principal, Procurement Unit (Vote 28)

Department of Justice, Equality and Law Reform/An Rionn Dlí agus Cirt, Comhionannais agus Arthchóirithe Dlí

Financial Shared Services

- Assistant Principal with responsibility for IT/Personnel/Corporate Services/Financial Accounting
- Assistant Principal in Customer Service Unit
- Higher Executive Officers — IT Division
- Higher Executive Officer — Corporate Services

Corporate Services Division

- Assistant Principal
- Higher Executive Officer

Information Technology

- Assistant Principals
- Administrative Officer
- Higher Executive Officers

Human Resources Division (Recruitment)

- Assistant Principal Officer
- Higher Executive Officer

Human Resources Division (Training)

- Assistant Principal
 - Higher Executive Officer
-

COSC — The National Office for the Prevention of Domestic, Sexual and Gender-based Violence

Strategy, Support and Communications Unit — Assistant Principal

Head of Administration, Assistant Principal

Researchers: Higher Executive Officer and equivalent

Irish Youth Justice Service

Assistant Principals with authority to purchase
Accountant

Irish Naturalisation and Immigration Service

Assistant Principal Officer with power to purchase

Higher Executive Officers with power to purchase

Executive Officers with power to purchase

 Appendix 1

The Equality Tribunal/An Binse Comhionannais

Executive Officer — general purchases

Office of the Refugee Applications Commissioner/Oifig an Choimisinéara Iarratas Dídeanaithe

Organisation & Finance

- Assistant Principal
- Higher Executive Officer
- Executive Officer

IT Unit/AISIP (Asylum and Immigration Strategic Integration Programme)

- Assistant Principal
- Higher Executive Officers

Corporate Office

- Assistant Principal
- Higher Executive Officer

Human Resources/Training

- Assistant Principal
 - Higher Executive Officers
-

Office of the Refugee Appeals Tribunal/Oifig an Bhinse Achomhairc do Dhídeanaithe

Organisation & Finance/IT/Corporate Office/HR/Training

- Assistant Principal
 - Higher Executive Officer
-

Garda Síochána Ombudsman Commission/Coimisiún Ombudsman an Gharda Síochána

Corporate Services:

- Assistant Principal Officers, Higher Executive Officers and Executive Officers with powers of purchase

Secretariat and Policy:

- Assistant Principal Officer

HR/Training:

- Higher Executive Officer
-

Irish Prison Service/Seirbhís Príosún na hÉireann

Assistant Principals with authority to purchase in the IT Directorate

Higher Executive Officers with authority to purchase in the IT Directorates

Pharmacist in the Healthcare Directorate

Governor Grade II

Governor Grade III

Deputy Governors, Assistant Governors, Mechanical Inspectors and Electrical Inspectors in the Building Services Division

The Probation Service/An tSeirbhís Phromhaidh

All Assistant Principals with authority to purchase

All Higher Executive Officers with authority to purchase

Reception and Integration Agency/An Áisíneacht Fháilte agus Comhtháite

Assistant Principals with responsibility for procurement of transport services, procurement of accommodation in the commercial sector and with responsibility for dealing with contracts of services with State owned properties

Administration Officers with responsibility for procurement of accommodation in the commercial sector

State Pathology Service

Senior Scientist

Executive Officer

[Deputy Brian Lenihan.]

Appendix 1

The Parole Board

Assistant Principal

Higher Executive Officer

The Courts Service/An tSeirbhís Chúirteanna

Assistant Principal Officers and Higher Executive Officers with responsibility for placing and managing external contracts

Department of Social and Family Affairs/An Roinn Gnóthaí Sóisialacha agus Teaghlaigh

Assistant Principals and Higher Executive Officers in ISD (Information Systems Division) with authority to purchase and with authority to enter into contracts

Assistant Principal, Higher Executive Officers and Executive Officers in Quality Customer Services with authority to purchase and with authority to enter into contracts

Assistant Principal and Administrative Officer in Website Customer Contact Channel Strategy and eGovernment Strategy with authority to purchase and with authority to enter into contracts

Assistant Principals, Higher Executive Officers and Executive Officers in Information Services with authority to purchase and with authority to enter into contracts

Press Officer

Assistant Principals and Higher Executive Officers in Facilities Management Unit with authority to purchase and with authority to enter into contracts

Assistant Principal in Business Architect Section with authority to purchase and with authority to enter in contracts

Assistant Principal in Child Benefit Section with authority to purchase and with authority to enter into contracts

Assistant Principals in Corporate Development Unit with authority to purchase and with authority to enter into contracts

Assistant Principal and Higher Executive Officers in Systems Support Unit, Personnel Branch with authority to purchase and with authority to enter into contracts

Assistant Principals and Higher Executive Officers in Staff Development Unit with authority to purchase and with authority to enter into contracts

Assistant Principals on the Service Delivery Modernisation Team in Social Welfare Services, Sligo, with authority to purchase and with authority to enter into contracts

Assistant Principals in charge of VFM Studies in the Programme Evaluation Unit with authority to purchase and with authority to enter into contracts

Assistant Principals and Higher Executive Officers in Accounts Branch with authority to purchase and with authority to enter into contracts

Assistant Principal and Higher Executive Officers in Household Benefits and Free Travel, with authority to purchase and with authority to enter into contracts

Assistant Principal and Higher Executive Officers in Procurement/Project Governance Services with authority to purchase and with authority to enter into contracts

Assistant Principals and Higher Executive Officers in Client Identity Service with authority to purchase and with authority to enter into contracts

Assistant Principal in Client Eligibility Services with authority to purchase and with authority to enter into contracts

Assistant Principals and Higher Executive Officers in Employment Support Services, with authority to purchase and with authority to enter into contracts

Department of Transport/An Roinn Iompair

Assistant Principals with authority to enter into contracts and with authority to purchase

Higher Executive Officers with authority to enter into contracts and with authority to purchase

Surveyors within the meaning of the European Communities Merchant Shipping (Port State Control) Regulations 1998 and under the Merchant Shipping Acts 1894 to 1992

Ships Surveyors

Engineering Surveyors

Nautical Surveyors

 Appendix 1

Marine Radio Surveyors
 Aeronautical Officer
 Transport Planner
 Sustainability Adviser
 Search and Rescue (SAR) Operations Manager (Irish Coast Guard)
 Pollution and Salvage Manager (Irish Coast Guard)
 Voluntary Services and Training Manager (Irish Coast Guard)
 Divisional Controller (Irish Coast Guard)
 Operations & Training Officer (Irish Coast Guard)
 Electronics Officers (Irish Coast Guard)
 Hydrographic Officer (Marine Survey Office)

Office of the Attorney General/Oifig an Ard-Aighne

Advisory Counsel Grade III
 Assistant Principal (Finance & Deputy Head of Administration)
 Assistant Principal (HR Manager)
 Assistant Parliamentary Counsel Grade II
 Professional Accountant

Central Statistics Office/An Phríomh-Oifig Staidrimh na hÉireann

Assistant Principals with authority to enter into contracts and with authority to purchase
 Statisticians with authority to enter into contracts and with authority to purchase
 Higher Executive Officers with authority to enter into contracts and with authority to purchase
 Executive Officers with authority to enter into contracts and with authority to purchase

Office of the Director of Public Prosecutions/Oifig an Stúirthóra Ionchúiseamh Poiblí

All positions of employment, in respect of which the maximum salary is not less than the maximum salary of a higher executive officer (general service grade, Class B PRSI) in the Civil Service

 Appendix 2

Department of Agriculture and Food

Assistant Principals and Higher Executive Officers dealing with (a) Animal Feeding stuffs and Pesticides in Crop Production and Safety Division and (b) in Animal Health and Welfare Division, Beef Public Storage Division, Accommodation Division, Agricultural Structures Division, Milk Policy Division, Erad Division and Food Safety Division engaged in the recommending or approving of contracts or in the processing of tenders,
 Assistant Principals in Beef Export Refunds and On Farm Investments Division, Animal By-Products Section, Area Aid Division and Other Market Supports Division engaged in the recommending or approving of contracts or in the processing of tenders,
 Chief Technologist
 Senior Forestry Inspectors
 Head of Forest Protection Service (Forest Service Section)
 Forestry Inspectors Grade 1
 Forestry Inspectors Grade 11
 Forestry Inspectors Grade 111

Department of Arts, Sport and Tourism

Corporate Support Division
 Assistant Principal in Training Unit
 Higher Executive Officer in Training Unit

[Deputy Brian Lenihan.]

Appendix 2

Line Divisions

Assistant Principal in ACCESS Grants Unit
Higher Executive Officer in ACCESS Grants Unit

National Museum

Head of Conservation
Head of Marketing
Head of Irish Antiquities Division
Head of Arts and Industry Division
Head of Natural History Division
Keeper/Manager Museum of Country Life
Assistant Principal (Administration)
Facilities Manager
Senior Graphic Artist
Senior Photographer
Education Officer
Registrar

The National Library

Keeper
Keeper — Administration
Library Administration Officer (Higher Executive Officer)

Office of the Attorney General

Advisory Counsel Grade 111
Assistant Parliamentary Counsel Grade 11 (Statute Law Revision Unit)
Assistant Principal (Deputy Head of Administration)
Assistant Parliamentary Counsel Grade 11

Central Statistics Office

Assistant Principal — Census Support, Dublin
Assistant Principal — Training and Development, Cork
Higher Executive Officer — Training and Development, Cork
Higher Executive Officer — Training Policy and Support, Cork
Higher Executive Officer — PMDS, Cork
Assistant Principal — Personnel, Cork
Higher Executive Officer — Personnel, Cork
Assistant Principal/Analyst — Information Technology, Dublin
Assistant Principal — Industry, Cork
Statistician — Industry, Cork
Assistant Principal — Information, Cork
Higher Executive Officer — Information, Cork
Assistant Principal — Administration, Dublin
Assistant Principal — Finance, Cork
Higher Executive Officer — Administration, Dublin
Assistant Principal — Office Services, Cork
Higher Executive Officer — Office Services, Cork
Assistant Principal — Methodology and Development, Cork
Statistician — Methodology and Development, Dublin
Assistant Principal — Database Administrator, Cork

 Appendix 2

Assistant Principals/Analysts — Systems Development Section (SDS), Cork
 Higher Executive Officers/Analysts — SDS, Cork
 Executive Officers/Analysts — SDS, Cork
 Assistant Principal — Networks Manager, Cork
 Assistant Principal — Networks Manager, Dublin
 Higher Executive Officers — Computer Support, Cork
 Higher Executive Officers — Computer Support, Dublin
 Statistician — Computer Support, Cork

Public Appointments Service

Senior Psychologist
 Assistant Principal, IT Manager
 Assistant Principal, Project Office Manager
 Assistant Principal, Recruitment Specialist

Department of Communications, Marine and Natural Resources

Engineers — Grade I
 Engineers — Grade II
 Engineers — Grade III
 SAR Operations Manager (Irish Coast Guard)
 Pollution and Salvage Manager (Irish Coast Guard)
 Voluntary Services and Training Manager (Irish Coast Guard)
 Surveyors within the meaning of the European Communities Merchant Shipping (Port State Control) Regulations 1998 and under the Merchant Shipping Acts 1894 to 1992)
 Ships Surveyors
 Engineering Surveyors
 Nautical Surveyors
 Marine Radio Surveyors
 Senior Sea Fishery Officers
 Sea Fishery Officers
 Sea Food Control Manager
 Assistant Principal (Corporate Planning & Finance MIF Units)
 Assistant Principal — Foreshore Leases & Licences (Coastal Zone Management Division)
 Assistant Principal — Aquaculture Licences (Coastal Zone Management Division)
 Assistant Principals — Chairs of grant-aid approval boards (Seafood Policy and Development Division)
 Assistant Principal — Deciding Officer on Sea Fishing Boat Licensing & Registration (Sea Fisheries Administration Division)
 Registrar General of Fishing Boats appointed under S.I. No. 294 of 1997
 Appeals Officer(s) appointed under section 6 of the Fisheries (Amendment) Act 2003
 Higher Executive Officers — Deciding Officers on Sea Fishing, Boat Licensing & Registration (Sea Fisheries Administration Division)

Director of Public Prosecutions

Professional Officer Grade IV
 Prosecution Solicitor
 Deputy Principal Legal Executive
 Assistant Principal Legal Executive
 Higher Legal Executive
 Law Librarian
 Assistant Principal
 Assistant Principal/Information Technology

[Deputy Brian Lenihan.]

Appendix 2

Higher Executive Officer

Higher Executive Officer/Systems Analyst

Department of Education and Science

Assistant Principals with responsibility for the procurement of information technology equipment, Information Technology Unit

Higher Executive Officers with responsibility for the procurement of information technology equipment, Information Technology Unit (Operations Section)

Higher Executive Officers with responsibility for the procurement of furniture/equipment/services, Accommodation and Services Section

Assistant Principals with the responsibility for the procurement of furniture/equipment/services, Change Management Unit

Higher Executive Officers with responsibility for the procurement of furniture/equipment/services, Change Management Unit

Assistant Principal, Staff Training and Development Unit

Training Officer, Staff Training and Development Unit

Higher Executive Officers with responsibility for the procurement of furniture/equipment/services, Personnel Section

Engineer Grade I and II, Planning and Building Unit

Quantity Surveyor, Planning and Building Unit

Architectural Assistants, Planning and Building Unit

Assistant Principal, National Educational Psychological Service

Higher Executive Officer, National Educational Psychological Service

Department of the Environment, Heritage and Local Government

Assistant Principal (Organisation Unit)

Assistant Principal (IT Unit)

Assistant Principal (Personnel — dealing with accommodation issues)

Department of Finance

Assistant Principal — Semi State Bodies Section

Higher Executive Officer — Semi State Bodies Section

Inspector of Taxes (Higher Grade) — International Financial Services Centre Section

Assistant Principals — Human Resource Development Section, CMOD

Civil Service Staff.

180. **Deputy Leo Varadkar** asked the Minister for Finance if he will reintroduce the three year career break for civil servants; and if he will make a statement on the matter. [6241/10]

Minister for Finance (Deputy Brian Lenihan): As the Deputy will be aware the Special Civil Service Incentive Career Break Scheme 2009 was introduced as a once-off measure that was included in the Supplementary Budget on 7 April 2009. There is no current proposal to extend the scheme.

Departmental Agencies.

181. **Deputy Leo Varadkar** asked the Minister for Finance if his attention has been drawn to means, such as internal audit reports or risk registers, of an agency under his Department's remit that paid for travel for at least 52 non-staff members on a single trip that was referenced in a recent Comptroller and Auditor General report; the monitoring arrangements that are in place by his Department to ensure agency compliance with his Department's foreign travel guidelines; and if he will make a statement on the matter. [6260/10]

Minister for Finance (Deputy Brian Lenihan): I understand that the Deputy is referring to the Central Bank and Financial Service Authority of Ireland. Under the Central Bank Acts and the Statute governing the European System of Central Banks the Central Bank and Financial Services Authority of Ireland (the Bank) is an independent institution not subject to direction by either the Minister for Finance or the Government in the discharge of its functions. The management of travel arrangements for the staff of the Bank is determined by the executive and the Board of the Bank. I acknowledge the swift action taken by the Governor of the Bank in ending the practice of payment of travel costs to spouses of staff of the Bank accompanying them to overseas events.

Question No. 182 answered with Question No. 171.

Financial Services Regulation.

183. **Deputy Terence Flanagan** asked the Minister for Finance his plans to ensure that the moratorium on housing repossessions and the code of conduct on mortgage arrears will be extended for those 6,400 households who have failed to pay their mortgages for a year or more and will be open to repossession of their homes from March 2010; and if he will make a statement on the matter. [6333/10]

Minister for Finance (Deputy Brian Lenihan): On 27 February 2009 a Code of Conduct on Mortgage Arrears (the Code) was introduced for all mortgage lenders. This Code contained a requirement that lenders must wait six months from the time arrears first arise before applying to the courts to commence enforcement of any legal action on repossession of a borrower's primary residence. In response to the continuing difficulties being faced by mortgage holders, the Financial Regulator has written to all mortgage lenders informing them that with effect from 17 February 2010, the Code has been amended to require that lenders must now wait twelve months from the time arrears first arise before applying to the courts to commence enforcement of any legal action on repossession of a borrower's primary residence.

Contraventions of the Code may be subject to the imposition of administrative sanctions by the Financial Regulator. The requirements of the Financial Regulator's Consumer Protection Code, including those on mortgage arrears, continue to apply. The updated code and letter issued to institutions on Friday 5 February 2010 is available on the website at <http://www.financialregulator.ie/processes/consumer-protection-code/Pages/codes-of-conduct.aspx>.

While the extension of the statutory code to 12 months is a welcome development, it should be noted that it does not necessarily follow that legal action will commence once the statutory 12 month timeframe has elapsed. The revised Code on Mortgage Arrears mandates that the lender *"must not seek repossession of the property until every reasonable effort has been made to agree an alternative repayment schedule with the borrower"*. Further, even where legal action is being taken to obtain an order for repossession, the Code mandates the lender to maintain contact with the borrower and, if agreement can be reached *"the lender must enter into repayment arrangements and put on hold proceedings in the event of agreed regular repayments being maintained."*

In addition, the Irish Bankers Federation published a Statement of Intent in November 2009 which provides further reassurance to homeowners who find themselves genuinely unable to maintain repayments on their principal private residence. The Statement of Intent has been agreed and supported by all IBF members. The IBF Oversight Committee on the implementation of the Statement of Intent will include a representation from the Money Advice and Budgeting Service. Overall, I am satisfied that the new arrangements in place provide strong

[Deputy Brian Lenihan.]

protections to all mortgage-holders who are genuinely unable to meet their mortgage commitments.

Architectural Heritage.

184. **Deputy John McGuinness** asked the Minister for Finance the works to be undertaken at Kilkenny Castle, during the course of 2010 and in particular the work to be carried out in the long hall; his plans to use the castle grounds and long hall for events such as dinners and receptions in conjunction with local business and the hospitality sector; if the manager of events at the castle will promote the use of the castle and the parade tower locally, nationally and at international level; and if he will make a statement on the matter. [6340/10]

Minister of State at the Department of Finance (Deputy Martin Mansergh): The Office of Public Works as part of an ongoing programme of improvement works at Kilkenny Castle, plans to carry out major safety upgrading works to the electrical systems in the castle. These are necessary to enable the venue to be used for suitable public events. Kilkenny Castle is recognised as a very important National Historic Property and the Office of Public Works remains committed to maintaining, managing and presenting it to the best effect. In this regard the OPW will continue to cooperate with interested external parties.

Tax Code.

185. **Deputy Aengus Ó Snodaigh** asked the Minister for Finance the implications of the EU ruling that local authority services will have VAT added in the future. [6351/10]

Minister for Finance (Deputy Brian Lenihan): The Finance Bill, which was published on Thursday 4 February, includes provision to make public bodies subject to VAT in accordance with the European Court of Justice ruling against Ireland of 16 July 2009 in Case C-554/07. In summary, the VAT Act is being amended to provide that public bodies, including local authorities, are made subject to VAT where they engage in activities that could lead to a distortion of competition with private operators. More specifically, they will become subject to VAT where they engage in activities (a) other than in their capacity as a public authority (e.g. regulatory functions); (b) in the case of their capacity as a public authority when their treatment as non-taxable could lead to a distortion of competition; and (c) as outlined in Annex I of the EU VAT Directive, unless otherwise exempted, and unless the activity is carried out on such a small scale as to be negligible.

Services that will become liable to VAT include such services as waste collection, landfill and recycling services; off-street parking; toll roads; the operation of leisure facilities; rent from certain lettings of commercial property; and the supply of staff and data. It should be noted that such services are already subject to VAT if provided by a private operator. The standard or the reduced VAT rates will apply as appropriate. The changes will apply from 1 July 2010.

However, other services operated by public authorities are not being made subject to VAT by the Finance Bill provision, as they are otherwise exempted. In that context, for example, the supply of water, education, health and passenger transport services are not being made subject to VAT as they are otherwise exempted from VAT. Examples of the types of activities by public bodies where a charge applies which will remain outside the scope of VAT, include parking fines, fees for passports, driving licences etc, development levies, casual trading licences and certificates of compliance. These are purely regulatory functions.

Business customers that charge VAT will not be affected by this change as they can claim deduction for any VAT charged by a public body. The impact on private individuals, VAT

exempt entities and other non-registered bodies, will depend on whether, and the degree to which, the VAT is passed on by the public bodies, which in any event should be limited somewhat since public bodies providing the service will have entitlement to deduct VAT on their inputs.

Question No. 186 answered with Question No. 167.

Public Sector Pay.

187. **Deputy Róisín Shortall** asked the Minister for Finance, further to Parliamentary Question No. 238 of 26 January 2010, the reason a formal reply has not yet been issued; and if he is now in a position to furnish a reply to the question. [6389/10]

Minister of State at the Department of Finance (Deputy Martin Mansergh): Section 6 of the Financial Emergency Measures in the Public Interest (No. 2) Act 2009 provides that, in certain limited circumstances, the Minister for Finance may by direction exempt or vary the application of the pay reductions provided for in the Act to public servants, or groups of public servants. The Minister has directed that an exemption from the pay reductions in the legislation should apply where those reductions would reduce the pay rate of public servants to, at, or below the statutory minimum wage. The direction will apply only to a small number of very atypical employments in the public service, normally linked to employment as part of intellectual disability support programmes. This exemption will apply in the case raised by the Deputy.

Civil Service Staff.

188. **Deputy Joan Burton** asked the Minister for Finance the procedures that are in place or are proposed to be put in place following the passing of the Civil Service Regulation (Amendment) Act 2005 for the appointment of civil servants to Government Departments and their promotion; the powers that are to be delegated by Government Ministers to their Secretaries General; the powers that are to be retained in relation to Civil Service regulation; the powers that will be retained in relation to the appointment, removal and discipline of Secretaries General; and if he will make a statement on the matter. [6403/10]

Minister for Finance (Deputy Brian Lenihan): The Deputy will be aware that the appointment and promotion of civil servants in Government Departments is regulated by the Public Service Management (Recruitment and Appointments) Act 2004. The Minister for Finance is responsible for all matters relating to recruitment in the Civil Service, including: eligibility criteria, staffing numbers, grading, pay and all working conditions of civil servants. The recruitment and promotion moratorium announced on Friday 27th March 2009 applies to the civil service; the Minister for Finance has the authority to allow for the filling of some vacancies in very exceptional circumstances through recruitment or promotion.

The Civil Service Regulation (Amendment) Act 2005 was enacted on 9th July 2005. The Act amended the Civil Service Regulation Act 1956 to allow the management framework set out in the Public Service Management Act 1997 to take effect. Under this framework, each Secretary General or Head of a Scheduled Office is responsible, by virtue of being the appropriate authority, for managing all matters pertaining to appointments, performance, discipline and dismissal of civil servants below Principal Officer level. Each Minister is the appropriate authority for civil servants at and above Principal level. The Government will continue to dismiss directly a civil servant who is the Head of a Scheduled Office or a civil servant who holds a position as a Revenue Commissioner.

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The Act also introduced a number of other Human Resources Management (HRM) changes. These include the following:

- civil servants, other than those dismissed directly by Government, were brought within the scope of the Unfair Dismissals Acts and the Minimum Notice and Terms of Employment Acts;
- disciplinary action may be taken in cases of underperformance;
- any suspension pending the conclusion of a disciplinary investigation will be suspension on full pay;
- the range of possible disciplinary sanctions have been broadened to include suspension without pay;
- people aged over 65 years may be engaged as civil servants provided they are new entrants.

The practical procedures to give effect to the 1956 Regulation Act are included in a Disciplinary Code which is agreed with the staff side under the Conciliation and Arbitration scheme. With the new Act, a new Disciplinary Code was required to take account of the emphasis on performance. This revised Code was officially agreed in June 2006.

Turning to the delegation of powers and functions under section 5 of the Civil Service Regulation Acts 1956-2005, the practical implementation of the powers in relation to the dismissal of staff envisaged in the Public Service Management Act 1997 was constrained by the Civil Service Regulation Act 1956, which provided that all established civil servants hold office at the will and pleasure of the Government; and therefore only the Government has authority to dismiss them.

However, the 1997 Act provided for amendments to the 1956 Act, subsections 5(2) and 5(3). This means that, although the Government retains ultimate dismissal authority, the Government can delegate this authority. The amended section 5(2) provides that the Government may authorise a Minister to exercise its powers of dismissal in relation to an officer at Principal level and above (who is not a Head of a Scheduled Office, or a Revenue Commissioner); while the amended section 5(3) provides that a Secretary General or Head of a Scheduled Office may exercise the power to dismiss staff below Principal level. An added protection is put in place for officers at and above Principal level, in that section 5(6) provides that a Minister cannot dismiss such an officer without having received a written recommendation to do so from the Secretary General or Head of Scheduled Office in which the officer works.

Tax Code.

189. **Deputy Michael Ring** asked the Minister for Finance if employees who are absent due to maternity leave but are in continuous employment should be liable for the income levy on their maternity benefit payment when it is paid as part of their wages; if the rebate of the levy comes from their employer or the Revenue Commissioners; and if he will make a statement on the matter. [6405/10]

Minister for Finance (Deputy Brian Lenihan): The position is that maternity benefit, in common with other social welfare payments, is not subject to the income levy. If income levy has been deducted from the wages of an employee in respect of maternity benefit, the employer may deal with any levy refund arising when the employer is carrying out the end of year

reconciliation. For income levy deducted and not refunded by an employer, the employee may make a claim to the Revenue Commissioners for any repayment that may be due.

190. **Deputy Michael Ring** asked the Minister for Finance if an unregistered farmer can make a VAT refund claim in respect of VAT incurred in the construction of a wind turbine, in view of the fact that the structure is set in concrete and therefore does alter the farm; and if he will make a statement on the matter. [6406/10]

Minister for Finance (Deputy Brian Lenihan): Farmers who are not registered for VAT are not in the normal course entitled to credit for, or repayment of, VAT incurred by them on their business inputs. The Value-Added Tax (Refund of Tax) (No. 25) Order, 1993 provides for refunds to unregistered farmers for tax borne on the “construction, extension, alteration or reconstruction of any building or structure which is designed for use solely or mainly for the purposes of a farming business”. However, while the installation of an alternative energy generator may be the construction of a structure, such a structure is not “designed for use solely or mainly for the purposes of a farming business”. It is designed rather to generate electricity for wherever required. Consequently, the installation of alternative energy generators does not come within the scope of the VAT refund order.

Health and Safety Regulations.

191. **Deputy Aengus Ó Snodaigh** asked the Minister for Finance if all the portable electrical equipment in his Department and subsidiary companies have portable appliance test certificates as required by the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007; if not, the reason for same; if his attention has been drawn to the fact that a PAT must be carried out on all moveable electrical equipment in offices, centres and so on, to ensure the safety and welfare of both employees and employers; if his further attention has been drawn to the fact that records of all such tests must be kept for at least five years to allow the Health and Safety Authority to carry out random spot checks and that insurance companies and underwriters are already seeking proof of compliance prior to renewal of policies; and if he will make a statement on the matter. [6456/10]

Minister for Finance (Deputy Brian Lenihan): I am aware of the requirement under section 81 of the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007 of the requirement to have certain portable electrical equipment, inspected and certified. I am advised that not all portable electrical equipment used at the workplace requires a test certificate. Under the General Application Regulations 2007, employers must ensure that portable equipment which is exposed to conditions likely to cause deterioration and consequent danger, undergoes a visual check by the user and is periodically inspected by a person competent to assess the ongoing safety of the electrical equipment. My Department has made arrangements to have the necessary inspections, and certification where relevant, carried out.

As regards the Government Offices which come under the aegis of my Department, I am informed as follows. The Office of the Revenue Commissioners has no portable electric equipment as queried by the Deputy.

In the Office of Public Works the requirements of S.I. No. 299 of 2007, Safety, Health and Welfare at Work (General Application) Regulations, are complied with and all portable equipment is maintained in a manner fit for safe use throughout the Department. The specific requirements of S.I. No. 299 for portable appliance testing of equipment exposed to conditions causing deterioration liable to result in danger is complied with in such circumstances as this applies under Safety, Health and Welfare procedures. The use of electrical equipment below a

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rated voltage of 125volts is in many cases a preference in areas where such dangers are anticipated. Precise information on portable appliance test certificates is not available.

The Valuation Office is not aware that any portable equipment in the Office is exposed to conditions causing deterioration liable to result in danger. The Office holds no portable appliance test certificates. The Public Appointment Service does not have portable electric equipment, which is exposed to conditions causing deterioration, requiring testing and certification. The Office of the Ombudsman is not aware that any portable equipment in the Office is exposed to conditions causing deterioration liable to result in danger, and it holds no portable appliance test certificates. All portable electric equipment in the State Laboratory has the necessary certification under the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 229 of 2007. In accordance with Public Financial Procedures the Exchequer carries its own insurance.

Financial Institutions Support Scheme.

192. **Deputy Michael McGrath** asked the Minister for Finance the position regarding the payment of the 8% coupon rate to the Government by banks (details supplied) further to the recapitalisation of both institutions in 2009. [6474/10]

Minister for Finance (Deputy Brian Lenihan): As a condition of State Aid approval, in relation to the recapitalisation by the Irish Government of both AIB and Bank of Ireland, the EU Commission required that the two banks each prepare and present restructuring plans to the Commission. The plan for Bank of Ireland was submitted on 30 September 2009 and the plan for AIB was submitted on 13 November 2009. The restructuring plans must comply with EU guidelines in this regard and have regard to EU State aid rules.

The commitment to burden sharing by the institution is a key consideration of the EU requirements for restructuring plans. Drawing on this, the EU issued guidelines in October 2009 aimed at clarifying their position on burden sharing, in particular in relation to the non-payment of discretionary coupons for hybrid capital instrument holders. The basis to the Commission's policy is to ensure that the amount of State aid should not exceed the minimum necessary and to achieve appropriate burden sharing with bond holders. Commission practice in this area is guided by the principle that transactions such as coupon payments reduce the total regulatory capital of an institution and this is incompatible with a situation where those same institutions are still reliant on State aid to fulfil regulatory capital requirements.

In response to the Commission's policy in this area, AIB and Bank of Ireland have both had to announce to the market that they cannot make discretionary coupon payments on Tier 1 and upper Tier 2 capital instruments. Non-payments of these coupons gives rise to a so-called "dividend stopper" which prevents payments on a range of other hybrid capital instruments held by the two institutions including the cash coupon on the State's Preference Shares. This would result in the activation of an alternative payment mechanism which would give rise to issuance of ordinary shares related to the cash amount of the dividend that would otherwise have been payable.

I am determined, in the context of ongoing discussions with the European Commission to secure agreement on the banks' restructuring plans, to resolve this issue to ensure that the State receives appropriate remuneration for the State's recapitalisation of these banks. Importantly, the European Commission is also open to finding a solution particularly since payment of a cash dividend on the State's Preference Shares was an important element of the Commission's approval for the State aid provided to the banks. I will keep the Deputy updated on progress in this matter.

Financial Services Regulation.

193. **Deputy Richard Bruton** asked the Minister for Finance if merchants who provide credit to farmers are regulated by the Irish Financial Services Regulatory Authority; if there are any upper limits on the rate of interest which such merchants can charge. [6498/10]

Minister for Finance (Deputy Brian Lenihan): Entities regulated by the Financial Regulator that provide credit include banks, building societies, credit unions, retail credit firms, home reversion (equity release) firms and moneylenders. These entities, excluding credit unions, must comply, inter alia, with the requirements of the Financial Regulator's Consumer Protection Code, with the exception of moneylenders who must comply with the requirements of the Regulator's Consumer Protection Code for Licensed Moneylenders. The Codes set out a number of general principles requiring regulated entities to act in the best interests of consumers and to treat consumers honestly, fairly and professionally and also include specific rules in relation to the provision of credit.

There may be other entities, outlets or arrangements through which consumers, including farmers, may receive credit. These include friendly societies, retail shops where in-store credit is provided and hire purchase arrangements. In these cases, the credit facilities provided would be outside the terms of the Consumer Protection Code and would not be regulated by the Financial Regulator. Friendly societies fall under the remit of the Registrar of Friendly Societies while credit intermediaries fall under the remit of the National Consumer Agency. Examples of credit intermediaries include garages and retailers who arrange loans, leasing and hire purchase for consumers.

The Financial Regulator has no statutory role in the setting of retail interest rates and there are no interest rate caps in relation to the industry categories which the Financial Regulator supervises in this jurisdiction, apart from the interest rate cap imposed on the credit union sector. Interest rates and products are not regulated so each institution determines the rate it charges its customers, depending on a number of factors such as cost of funds and commercial considerations such as competition, risk pricing and the impact on deposit rates.

The principal legislation under which credit unions are regulated in Ireland is the Credit Union Act 1997 as amended. One of the objects referred to in the conditions of registration of a credit union is the "creation of sources of credit for the mutual benefit of its members at a fair and reasonable rate of interest". In relation to interest on loans under Section 38 of the Credit Union Act, a credit union may charge interest on loans made to its members under certain conditions, one of which is that the interest on the loan shall not at any time exceed one per cent per month on the amount of the loan outstanding at that time. The interest on the loan shall in every case include all the charges made by the credit union in making that loan. The rate of interest charged on any class of loans granted at a particular time shall be the same for all loans of the class.

Moneylending firms in Ireland are authorised by the Financial Regulator under the Consumer Credit Act 1995. Interest rate caps for moneylenders are not provided for in this Act and the Financial Regulator does not have the power to cap interest rates on an industry wide basis. However, the Consumer Director of the Financial Regulator may form an opinion on whether the cost of credit charged by a firm is excessive. A person must not conduct moneylending unless they hold a licence and maintain a business premises which is not a residence.

Public Sector Pay.

194. **Deputy Emmet Stagg** asked the Minister for Finance if he will amend the policy whereby the public service pay cut is applied to civil servants on a split week basis as follows, 5% reduction on earnings up to €15,000 and 7.5% reduction on earnings above €15,000 per year; and his views whether the current policy is inequitable. [6502/10]

Minister for Finance (Deputy Brian Lenihan): I refer to my reply to Question No. 4890/10 on 2 February 2010.

Question No. 195 answered with Question No. 170.

Tax Code.

196. **Deputy Bobby Aylward** asked the Minister for Finance if, in view of the recommendations of the report of the Commission on Taxation, changes will be made to the capital acquisitions tax; and if he will make a statement on the matter. [6676/10]

Minister for Finance (Deputy Brian Lenihan): The Commission on Taxation recommended the reduction of Capital Acquisitions Tax (CAT) business relief and agricultural relief from 90% to 75%, and an overall cap on the reduction via these reliefs of €3 million (Recommendations 8.70 and 8.71). The Commission also recommended that the two reliefs be amalgamated (recommendation 8.72). In the context of Budget 2010 and Finance Bill 2010 the Government considered these and other recommendations of the Commission but it was decided not to address these matters at this stage. The Finance Bill, which was published last Thursday, 4 February, contains proposals to reform and modernise the administration of CAT, including provisions that certain complex reliefs, including business relief and agricultural relief, can only be claimed electronically. This is in line with recommendation 5.42 of the Commission on Taxation report, that taxpayers should be required to file returns electronically where detailed data is needed to evaluate tax expenditures.

Civil Service Staff.

197. **Deputy Seán Fleming** asked the Minister for Finance the number of civil servants that availed of the cost neutral early retirement scheme for each year since 2000 to date in 2010; the number of civil servants that availed of the incentivised scheme for early retirement in 2009 and to date in 2010; and if he will make a statement on the matter. [6686/10]

Minister for Finance (Deputy Brian Lenihan): The number of civil servants who availed of the cost neutral early retirement scheme for each year since 2000 is as follows:

Cost Neutral Early Retirement

Year	Number
2000	0
2001	0
2002	0
2003	0
2004	7
2005	93
2006	70
2007	59
2008	52
2009	74
2010	1
Total	356

(Please note that, as cost neutral early retirement, only came into effect in April 2004, there could be no take-up during the years from 2000 to 2003).

The number of civil servants who availed of the incentivised scheme for early retirement in 2009 and to date in 2010 is as follows:

Incentivised Scheme for early Retirement

Year	Number
2009	751
2010	49 to date
Total	800

International Agreements.

198. **Deputy Charles Flanagan** asked the Minister for Finance the amount of revenue that has been generated arising from memorandums of understanding and the anti-contraband and anti-counterfeit agreements between the Government and tobacco companies in 2009; and if he will make a statement on the matter. [6700/10]

Minister for Finance (Deputy Brian Lenihan): I am informed by the Revenue Commissioners that the sum of \$1,359,995.81 (€907,329.25) was received on 7 December 2009 in respect of Ireland's portion of the phased payments due for 2009 under Article 8 of the International Agreement concluded with Japan Tobacco International (JTI). The sum in question was transferred to the Exchequer on 22 December 2009. As previously stated Ireland does not qualify for similar payments under the International Agreement that was concluded with Philip Morris International (PMI) as Ireland was not one of the initial signatories to the Agreement, to whom such payments are confined.

Furthermore, no seizure payments were received from either of these companies in 2009 because the cigarettes seized by Ireland did not qualify for payment either because they were below the minimum threshold, or were in free circulation in the European Union or they were counterfeit. As regards, Memoranda of Understanding (MOU), while no revenue or payments flow directly from such MOUs, the tobacco manufacturers continue to co-operate and share information with Revenue in tackling cigarette smuggling.

Social Insurance.

199. **Deputy Lucinda Creighton** asked the Minister for Finance if he has estimated the amount that will be raised per annum by the proposed universal social contribution when it replaces PRSI, pension and health levies; the amount forecast; and if he will make a statement on the matter. [6704/10]

200. **Deputy Lucinda Creighton** asked the Minister for Finance the average contribution per taxpayer per annum to the proposed universal social contribution when it replaces PRSI, pension and health levies; and if he will make a statement on the matter. [6705/10]

Minister for Finance (Deputy Brian Lenihan): I propose to take Questions Nos. 199 and 200 together.

The position is that, as announced in the Budget, it is my objective to introduce in 2011 a new system of just two charges on income as follows:

- A new universal social security contribution will replace employee PRSI, the Health Levy and the Income Levy. It will be paid by everyone at a low rate on a wide base as a collective contribution to public services.

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- Income Tax will apply on a progressive basis to those with higher incomes reflecting their capacity to make a greater contribution.

Work has already commenced on this project in my Department in consultation with the relevant Government Departments and the Revenue Commissioners. This work will of course include consideration of the potential yield as well as the required contributions of individual taxpayers. The details relating to this initiative will be announced in the context of the 2011 Budget.

Flood Relief.

201. **Deputy Paul Connaughton** asked the Minister for Finance if and when a decision will be made to install a single authority to oversee the management of the River Shannon and its tributaries in an effort to reduce the incidence of unnecessary flooding causing untold hardship to so many rural families; if such authority will be empowered to impose regulations over the various constituent bodies such as Waterways Ireland, fisheries board, ESB, national parks and wildlife service, the Office of Public Works and other stakeholders that use the Shannon navigation system irrespective of their present mandates; and if he will make a statement on the matter. [6731/10]

Minister of State at the Department of Finance (Deputy Martin Mansergh): A number of agencies, including the ESB, Shannon Regional Fisheries Board, relevant local authorities and Waterways Ireland have a specific statutory function or a responsibility in relation to aspects of the control and management of the Shannon basin and its water levels. The National Parks and Wildlife Service of the Department of Environment, Heritage and Local Government also has a role in relation to managing environmental aspects of the catchment. Future management of the Shannon must take account of relevant EU legislation relating to rivers, in particular, the Water Framework Directive and the Floods Directive.

The Water Framework Directive, which is primarily concerned with water quality, is the responsibility of the Department of the Environment, Heritage and Local Government, operating through a network of River Basin District committees containing representatives of major stakeholders. The Floods Directive requires that the level of flood risk in each catchment in the country, including the Shannon, should be identified and that a prioritised plan of measures be drawn up to address the risk in areas where it is significant. This is to be done by undertaking a Flood Risk Assessment and Management Study (CFRAM) for each catchment. These studies must be completed by 2015, and must be reviewed every 6 years thereafter.

The Office of Public Works will take the lead coordinating role in the carrying out of the Shannon FRAM. The study, which is expected to commence in mid-2010, will involve consultation with all of the main stakeholders, including the ESB, Waterways Ireland, National Parks and Wildlife Service, the Fisheries Board and relevant Local Authorities. The EU requires that the implementation of the Floods Directive and the Water Framework Directive should be closely coordinated in each Member State. This provides the basis for the development of an integrated, coordinated approach to the management of all matters relating to the River Shannon. The Floods Directive will be transposed into Irish law by Statutory Instrument shortly. The effect of this is, rather than creating a single agency as suggested by the Deputy, to give to the OPW the necessary statutory authority to ensure the participation of the stakeholders in the process of effectively managing flood risk in the Shannon catchment.

202. **Deputy Bernard J. Durkan** asked the Minister for Finance, further to parliamentary Question No. 83 of 21 January 2010, the extent to which he has evaluated the areas in County Kildare which have been subjected to severe flooding in the past three months; the extent to which it is intended to implement the necessary measures to ensure protection against a recurrence thereby minimising future damage to property in the areas in question; and if he will make a statement on the matter. [6744/10]

Minister of State at the Department of Finance (Deputy Martin Mansergh): In 2009 the Office of Public Works (OPW) introduced two new initiatives relating to the provision of minor flood alleviation works for rivers and for coastal protection and under this initiative, provided funding to Kildare County Council to complete a programme of flood relief works for the River Toni in Celbridge, Co. Kildare. These works were completed in 2009 and as a result Celbridge experienced no fluvial flooding during the recent flooding. I should also mention that I have recently extended the aforementioned scheme and increased the funding that will be made available by OPW this year. An initial allocation of €6 million is being made available for works and studies to address flooding and coastal protection which can be undertaken in 2010 compared to approximately €2 million which was allocated in 2009.

My Officials continue to meet regularly with Kildare County Council to discuss how best to prioritise the areas in the county which have a history of flooding and/or been subjected to recent flooding. As a result of these meetings Kildare County Council will be submitting flood relief proposals from other locations in the county for inclusion in the programme of minor works for 2010. It should be noted that all applications for funding of minor works will be considered by OPW and prioritised as part of the overall strategy for dealing with flooding throughout the country and it will also be a prerequisite that any works considered will take cognisance of the Liffey Catchment Flood Risk Assessment and Management (CFRAM) study that forms part of the National CFRAM programme, which is being rolled out in 2010.

Furthermore, the Commissioners of Public Works have agreed to allocate funding to complete a programme of flood alleviation works in the Johnstown area, and Kildare County Council has been successful in obtaining planning approval in accordance with Part 8 of the planning and development regulations for this scheme. It is envisaged that the scheme will get underway later this year subject to the Local Authority being able to resolve outstanding issues in relation to land acquisition and site investigation.

Tax Code.

203. **Deputy Thomas Byrne** asked the Minister for Finance the position regarding income tax for a person resident and working here but employed by a Northern Irish company and paid in sterling; the position regarding excise duties in view of the fact that the person would be provided with a car registered in Northern Ireland as a company car to drive here in the course of their employment. [6786/10]

Minister for Finance (Deputy Brian Lenihan): The position is that an individual resident in the State is chargeable to income tax here on his or her worldwide income. In addition, even if the individual were not resident here, he or she is chargeable to tax here in respect of income and benefits arising from an employment exercised in the State. In the case outlined by the Deputy, the salary arising from the individual's employment is chargeable to income tax here under what is known as Schedule E, with the employer making deductions at source under the Pay As You Earn (PAYE) system here.

Where a car is made available to an individual by reason of their employment, a charge to income tax arises in respect of this benefit in kind and the employer must also make the

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appropriate deductions under the PAYE system from the “cash equivalent” of the private use of the company car. Where an employer has to convert sterling to euro for the purpose of applying the PAYE system, Revenue will accept the exchange rate at either:

- (a) the date of calculation, in the Employer’s records, of the tax liability related to the payment, or
- (b) the actual date of payment,

provided that the method chosen is used on a consistent basis, and where the rate at (a) is used, the date of calculation of the tax liability is not later than the date of payment. In addition, a vehicle provided by a Northern Irish company to an individual resident in the State for the purposes of that individual carrying out the duties here of his or her employment here must be registered in the State and the necessary Irish vehicle registration tax (VRT) paid.

The Deputy may be aware that there is a VRT and registration exemption in respect of cars temporarily imported into the State by persons established outside the State. However, from the information supplied by the Deputy, the car in question is not a temporary import and, therefore, does not qualify for VRT exemption and must be registered in the State.

Departmental Expenditure.

204. **Deputy Leo Varadkar** asked the Minister for Finance, further to Parliamentary Question No. 235 of 26 January 2010, regarding the payment to interview board members, the persons who were board members, the amount they were paid in each instance; and if he will make a statement on the matter. [6795/10]

Minister for Finance (Deputy Brian Lenihan): The information requested cannot be provided in respect of the estimate for 2010, as the number and composition of interview boards will depend on the number and nature of the positions for which interviews will be held during the year. However, a total of €334,000 was paid to individuals and organisations in respect of Interview Board Members fees in 2009. This represents 631 interview days and 70 individuals or organisations were in receipt of payments. The pay rates for Interview Board Members are determined, from time to time, by my Department and the rates were reduced by 10% in May 2009. Payments are not made to serving Civil or Public Servants who act on Interview Boards. The Public Appointments Service strives to use serving officers to act on Interview Boards, however this is not always possible.

Tax Code.

205. **Deputy Joe Behan** asked the Minister for Finance if he will clarify the tax relief arrangements on medical expenses in the case of a person (details supplied) in County Wicklow; and if he will make a statement on the matter. [6954/10]

Minister for Finance (Deputy Brian Lenihan): The position is that tax relief will continue to be granted at the marginal rate (up to 41%) in respect of nursing home fees for 2010. The person concerned may make a claim to have this included as a tax credit for the current year and should contact his local tax district in that regard.

International Monetary Fund.

206. **Deputy Michael D. Higgins** asked the Minister for Finance the Irish commitment at a recent meeting of the G20 to contribute to a special fund addressed to the needs of indebted

countries; if the fund is to be led by the International Monetary Fund; if so, the guiding principles that exists for the fund; and if they will include debt cancellation. [6962/10]

Minister for Finance (Deputy Brian Lenihan): I understand the Deputy is referring to the International Monetary Fund's New Arrangements to Borrow (NAB) which has not, however, been designed to deal with debt cancellation. The NAB is essentially a set of credit arrangements between the IMF and member countries and institutions to provide supplementary resources to the IMF to forestall or cope with an impairment of the international monetary system or to deal with an exceptional situation that poses a threat to the stability of that system. Arrangements for a new and expanded NAB are currently under negotiation.

In April 2009, G20 Leaders agreed to increase the resources available to the International Monetary Fund (IMF) by up to USD500bn, thereby tripling the total pre-crisis lending resources of the IMF to USD750, to support growth in emerging market and developing countries. This agreement was endorsed by the International Monetary and Financial Committee, the European Council and Ecofin Ministers. The increase in IMF resources is to be made in two steps:

- (i) through the immediate provision of bilateral loans up to USD250bn from IMF member countries to the IMF; and
- (ii) by subsequently rolling over these loans and making additional provision into an expanded and more flexible New Arrangements to Borrow (NAB), increased by up to USD500 bn.

At the Spring Council 2009, the EU agreed to provide temporary bilateral loans of €75bn to the IMF. Ireland agreed to provide its share — a loan facility of €1.3bn — based on Ireland's new IMF quota. On 17 September 2009, EU Heads of State agreed to further increase support to the IMF by increasing the €75bn to €125bn (approx USD175bn) by rolling over EU bilateral loans into the new NAB and making further financial commitments to NAB. The result of this agreement for Ireland is that our share of the new and expanded NAB (based on Ireland's IMF quota) would be approximately €2bn, inclusive of Ireland's bilateral loan of €1.3bn.

On 13 January 2010, the Government decided in principle to approve Ireland's participation in the IMF's New Arrangements to Borrow (NAB), for increasing IMF resources, and Ireland's provision to the NAB of a loan facility of approximately €2bn, subject to agreement on terms and conditions. Like a number of EU countries, Ireland's provision of the bilateral loan to the IMF and participation in NAB will be met using Central Bank resources. Legislative provision for the bilateral loan and Ireland's participation in NAB will be required.

Tax Code.

207. **Deputy Willie Penrose** asked the Minister for Finance if an *ex gratia* sum payment which is payable to employees who take redundancy is subject to income tax; the position regarding same; and if he will make a statement on the matter. [7009/10]

Minister for Finance (Deputy Brian Lenihan): Statutory redundancy payments are exempt from income tax. In addition, ex-gratia redundancy payments in excess of the statutory redundancy amount are exempt from income tax up to certain limits namely—

- a basic exemption of €10,160 plus €765 per complete year of service in excess of the statutory redundancy;

or

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- Standard Capital Superannuation Benefit i.e. 1/15th of the person's annual income (average of the last three years) for each year of employment less any tax-free lump sum which is received or receivable under any approved or statutory pension scheme.

The basic exemption from income tax as outlined above can be further increased by up to €10,000 if the person is not a member of an occupational pension scheme. This can only be claimed if the person has not made any claims in respect of a lump sum received in the previous 10 tax years. It is open to the taxpayer to choose whichever relief is of most benefit. Any amount of redundancy payment in excess of whichever exemption applies, is liable to income tax.

National Treasury Management Agency.

208. **Deputy Leo Varadkar** asked the Minister for Finance further to his press release of 2 February 2010 regarding the delegation of banking functions to the National Treasury Management Agency, the legislative basis on which this order is or will be based; if this order has been signed; the date on which this occurred; if not, when he will sign such an order; the date when he expects to lay this document before the Houses of the Oireachtas; and if he will make a statement on the matter. [7010/10]

Minister for Finance (Deputy Brian Lenihan): As indicated in my press release, the form of a draft order is currently being discussed with the Attorney General's Office. This order will provide for the delegation under the National Treasury Management Agency Act 1990 of certain banking functions to the National Treasury Management Agency. I expect these discussions to be completed shortly. Arising from these discussions an order will be made by Government which will be laid before each House of the Oireachtas as soon as practicable thereafter.

Departmental Programmes.

209. **Deputy Fergus O'Dowd** asked the Minister for Finance the number of civil and public servants that have signed up for the cycle to work scheme; the cost of the scheme to date in 2010. [7575/10]

Minister for Finance (Deputy Brian Lenihan): The number of bikes purchased by my Department and the bodies under the aegis of my Department in 2009 to date in 2010 is 278. The only material cost of the scheme to the State is the tax relief inherent in the scheme. The total amount sanctioned to date by way of cycle purchases for staff of my Department and the bodies under the aegis of my Department is €193,710.

Voluntary Sector Funding.

210. **Deputy Joe McHugh** asked the Minister for Health and Children her views of the important role of an association (details supplied) in the delivery of public health services; her further views on increasing the amount of funding to that foundation annually; and if she will make a statement on the matter. [6131/10]

248. **Deputy David Stanton** asked the Minister for Health and Children if her attention has been drawn to a recent study carried out by an organisation (details supplied); the policy of her Department regarding these matters; and if she will make a statement on the matter. [6599/10]

250. **Deputy Olwyn Enright** asked the Minister for Health and Children if she will direct the Health Service Executive to meet with a foundation (details supplied) to discuss its cost and outcomes analysis of alternative models of care for young children with severe disabilities here; if she will meet it to examine this report and help the foundation further develop its care for young children in the home to the age of six years; and if she will make a statement on the matter. [6606/10]

274. **Deputy Róisín Shortall** asked the Minister for Health and Children if she will agree to an early meeting with the Jack and Jill Foundation to discuss the provision of care for severely disabled children. [6793/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): I propose to take Questions Nos. 210, 248, 250 and 274 together.

The current challenging budgetary situation does not permit the funding of new developments other than through a reallocation of existing resources. The HSE currently engages with Jack and Jill on a quarterly basis and will include consideration of this report during 2010, in the context of the development of integrated services for children with a disability. The HSE provided funding of €585,000 to the Jack and Jill Foundation in 2009.

Pre-school Services.

211. **Deputy Richard Bruton** asked the Minister for Health and Children if the AMI Montessori qualification is recognised as justifying the higher rate of payment in recognition of higher staff skills under the pre-school subsidy scheme; and if she will make a statement on the matter. [6635/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I have responsibility for the free Pre-School Year in Early Childhood Care and Education (ECCE) scheme, which was introduced in January 2010. A higher capitation rate of €75 per week (€2,850 p.a.) is available to sessional playschool services in which all childcare workers have qualification levels above the minimum requirements for the scheme. To qualify for the higher capitation rate all pre-school leaders in the service must hold a qualification in a relevant discipline at a minimum of Level 7 on the National Framework of Qualifications (NFQ) and have 3 years experience working in the sector. All pre-school assistants must hold a relevant FETAC level 5 qualification or its equivalent.

The AMI (Association Montessori Internationale) Montessori College offer both a 2 year and a 3 year Montessori course with entry to the third year being dependent on a student achieving a distinction at the end of year 2. Neither of these courses are currently placed on the NFQ although I understand that the College has applied to the Higher Education and Training Awards Council to have them accredited and placed on the NFQ. In the meantime, as the Department of Education and Science gives restricted recognition to AMI Montessori qualifications awarded on completion of the 3 year full time course, this qualification is being accepted by my Office as meeting the qualification criterion for the higher capitation rate.

National Drugs Strategy.

212. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support a matter (details supplied). [6769/10]

218. **Deputy Willie Penrose** asked the Minister for Health and Children the steps she will take to curtail or ban the opening of head shops here; if her attention has been drawn to the strong community campaign to have such a ban put in place; the legislative proposals she has in this regard; and if she will make a statement on the matter. [6077/10]

233. **Deputy Maureen O’Sullivan** asked the Minister for Health and Children, further to Parliamentary Question No. 123 of 21 January 2010, when, in view of the increased urgency and concern, the secondary legislation under the Misuse of Drugs Act 1977 in relation to control of substances currently being sold in head shops will be before Dáil Éireann. [6236/10]

235. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the position regarding discussions in respect of the banning of substances sold in head shops. [5540/10]

283. **Deputy Maureen O’Sullivan** asked the Minister for Health and Children the timeframe for the secondary legislation under the Misuse of Drugs Act 1977 to deal with substances being sold in head shops. [6855/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 212, 218, 233, 235 and 283 together.

The Misuse of Drugs Act 1977 and its associated regulations control the import, export, production, supply and possession of a range of named narcotic drugs and psychotropic substances listed in the Schedules to the Act. Substances are scheduled under the Act in accordance with Ireland’s obligations under international conventions and/or where there is evidence that the substances are causing significant harm to public health in Ireland. The list of scheduled substances is kept under ongoing review. For example, in 2006 psychotropic (“magic”) mushrooms were banned and their possession and sale is now illegal. On 31 March 2009, BZP was similarly subjected to legislative control measures and criminal sanctions.

In the light of the health risks associated with some of the products being sold in so-called “head shops”, I intend to make regulations before the end of June which will introduce controls, similar to those introduced recently in the UK, on a range of substances which are currently on sale in head shops. These regulations will make the possession and sale of these substances illegal and subject to criminal sanctions. Some of the substances in question have legitimate uses — for example, in the production of plastics and industrial solvents. It will be necessary to assess the level of use of these substances by industry in Ireland and the implications for industry of placing these substances under the ambit of Misuse of Drugs legislation. In accordance with EU law, it may also be necessary to notify the Commission of the proposed regulations in case they impact on legitimate industrial activities and this imposes a 3 month stand still period on implementation of the regulations.

Minister of State John Curran, who has responsibility for co-ordinating the National Drugs Strategy, has identified head shops as an area of concern, and is currently considering the options available to more effectively control the activities of head shops. A Research Advisory Group (RAG) has been established to identify possible options for the regulation of head shops. The RAG held its first meeting on 13 January 2010. It has representatives from the National Advisory Committee on Drugs, the Departments of Community, Rural and Gaeltacht Affairs, Justice, Equality and Law Reform, Health and Children, the Health Research Board, Revenue Custom’s Service, the Forensic State Laboratory and other relevant stakeholders. The RAG will report incrementally until its work is complete.

Medical Cards.

213. **Deputy Seán Sherlock** asked the Minister for Health and Children if an application for a medical card in respect of a person (details supplied) in County Cork will be expedited; and if she will make a statement on the matter. [7002/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Services.

214. **Deputy Olivia Mitchell** asked the Minister for Health and Children if she will provide the funding necessary to allow persons (details supplied) in Dublin 16 to move to insulin pump therapy through Our Lady's Hospital for Sick Children, Crumlin, Dublin 12; and if she will make a statement on the matter. [6058/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

215. **Deputy Ruairí Quinn** asked the Minister for Health and Children the number of hospitals with medical assessment units; the number of new medical assessment units added to the hospital system since 2005 to date in 2010; and if she will make a statement on the matter. [6069/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

216. **Deputy Ruairí Quinn** asked the Minister for Health and Children the number of new hospices established since 2006 to date in 2010; and if she will make a statement on the matter. [6070/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Cancer Screening Programme.

217. **Deputy Ruairí Quinn** asked the Minister for Health and Children if BreastCheck will be made available for women over 64 years; and if she will make a statement on the matter. [6071/10]

Minister for Health and Children (Deputy Mary Harney): BreastCheck provides free mammograms to all women aged 50-64. Since October 2009 Breastcheck has been available in all counties. During 2009 over 122,000 women were screened and this number will increase during 2010. It is my intention to extend Breastcheck to women in the 65-69 age group as soon as resources and capacity allow. In the meantime women of any age who have concerns about breast cancer should seek the advice of their GP who will, if appropriate, refer them to the symptomatic breast services in one of the eight designated specialist cancer centres.

The National Cancer Screening Service has been asked to review the potential for efficiencies and cost savings in areas identified in the *HIQA Report of the evaluation of the use of resources in the national population based cancer screening programmes and associated services*. Any savings identified may be used to meet the costs of further development of screening services, including the BreastCheck programme. The immediate priority for the National Cancer Screen-

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ing Service is to ensure that preparatory work for the national colorectal screening programme takes place this year and in 2011 in order for screening to commence in early 2012 for men and women in the 60 to 69 age group.

Question No. 218 answered with Question No. 212.

Medical Cards.

219. **Deputy Michael Ring** asked the Minister for Health and Children the reason a person (details supplied) in County Mayo was not notified when their medical card was withdrawn; and if the card will be reinstated. [6080/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

220. **Deputy Edward O’Keeffe** asked the Minister for Health and Children if she will assist in having a medical card approved in respect of a person (details supplied) in County Cork on medical grounds. [6082/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Services.

221. **Deputy James Bannon** asked the Minister for Health and Children the reason a person (details supplied) in County Longford has had three dates for surgery at the Mater Hospital, Dublin, cancelled in January 2010, in view of the commitment by her Department to give priority to patients from counties Longford and Westmeath, when the cancer unit was taken from the Midlands Regional Hospital; and if she will make a statement on the matter. [6085/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Health Services.

222. **Deputy Catherine Byrne** asked the Minister for Health and Children the treatment services in place for cocaine users; the number of cocaine treatment clinics operating here; if new treatment projects and clinics will open in 2010; and if she will make a statement on the matter. [6101/10]

Minister for Health and Children (Deputy Mary Harney): As the Deputy’s question relates to a service matter it has been referred to the HSE for direct reply.

Medical Aids and Appliances.

223. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding the review of the supply of prosthetic limbs in County Cork; if the persons using a prosthetic limb will be consulted as part of the review; and if she will make a statement on the matter. [6107/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Medical Cards.

224. **Deputy Michael Creed** asked the Minister for Health and Children if a replacement medical card will be issued to a person (details supplied) in County Cork; and if she will make a statement on the matter. [6113/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

225. **Deputy Jack Wall** asked the Minister for Health and Children the position regarding an application for a medical card in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6114/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Drugs Payment Scheme.

226. **Deputy Olivia Mitchell** asked the Minister for Health and Children if the drugs repayment scheme operates on a monthly basis or on the basis of 28 days; and the reason some pharmacists supply medicines for 28 days and others operate a 30 day system. [6127/10]

Minister for Health and Children (Deputy Mary Harney): I understand that some drugs and medicines are supplied by manufacturers in 28 day packages. However, the position in relation to the Drugs Payment Scheme (DPS) is that no family or individual need pay in excess of the monthly threshold which is currently €120, in respect of medication for use in any calendar month. The Health Service Executive Primary Care Reimbursement Service, formerly the GMS (Payments) Board, which is responsible for reimbursing community pharmacists under the DPS, so advised all community pharmacists in 1999 on the establishment of the DPS.

Medical Cards.

227. **Deputy Michael Ring** asked the Minister for Health and Children the decision regarding an application for a medical card in respect of a person (details supplied) in County Mayo; and the breakdown of calculations. [6136/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Departmental Procurement.

228. **Deputy Joe McHugh** asked the Minister for Health and Children the companies that have been granted contracts for projects worth more than €10 million in the period 2000 to 2010. [6149/10]

237. **Deputy Joe McHugh** asked the Minister for Health and Children the companies that have been granted contracts for projects worth more than €15 million in the period 2000 to date in 2010. [6321/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 228 and 237 together.

Details of the information requested by the Deputy has been forwarded to three of the agencies under my Department's remit for direct reply to him. These are the Health Service Executive; the National Treatment Purchase Fund and the National Cancer Screening Service. The remainder of the information requested by the Deputy is not readily available but will be forwarded to him as soon as it has been collated.

Medical Cards.

229. **Deputy Joan Burton** asked the Minister for Health and Children the background and rationale to the decision to centralise the medical card application service to the primary care reimbursement service; the connection of this centralisation to the budget 2009 decision to means test all persons applying for a medical card aged 70 years and over which is enshrined in the Health Act 2008; the preparation undertaken and consideration given to the initiative prior to the announcement to centralise on 24 December 2008; the effect of the centralisation on persons over 70 years; the success of the centralisation; if problems have been encountered to date in 2010; the extent to which the medical card application process has been improved to be more efficient and faster; the extent to which it has deteriorated; and if she will make a statement on the matter. [6167/10]

Minister for Health and Children (Deputy Mary Harney): Following the change in medical card eligibility for persons aged 70 and over in the Health Act 2008, the Health Service Executive (HSE) through its Service Plan for 2009, advised the Department of its decision to centralise the processing of all medical card and GP visit card applications and renewals to the Primary Care Reimbursement Service (PCRS) in Dublin. The HSE has indicated that this decision was taken in the context of the Executive's requirements to make efficiencies in business practices that could realise savings in a very challenging economic environment and provide a modern service to the public within sustainable levels of expenditure.

I fully support the HSE's decision to centralise the processing of all medical card applications and reviews. I wrote to all Oireachtas members on 19th January 2010 outlining a range of measures being employed by the Executive to address issues arising from this initiative and I also referred to the various enhancements that this process will facilitate upon completion.

Hospital Services.

230. **Deputy Seán Sherlock** asked the Minister for Health and Children if an appointment will be expedited in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [6168/10]

Minister for Health and Children (Deputy Mary Harney): The scheduling of patients for hospital treatment is a matter for the consultant concerned in each case and is determined on the basis of clinical need. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant involved.

Consultancy Contracts.

231. **Deputy Damien English** asked the Minister for Health and Children the number of

external consultants currently working for or in her Department; the work they are carrying out; and if she will make a statement on the matter. [6203/10]

Minister for Health and Children (Deputy Mary Harney): The information requested regarding external consultants currently working for or in my Department is set out in the attached document, a copy of which has issued directly to the Deputy. The information set out relates to external contracts placed by my Department related to the provision of services including the provision of advice and expertise, and the undertaking of studies, surveys and other services.

External Consultants currently working for/in the Department

No.	Consultants currently working for/in the Department	Details of work being carried out
1	Coyle Hamilton Willis	Actuarial, accounting, insurance & economic advice services in relation to the health insurance market, as & when required
2	Life Strategies Ltd	Actuarial, accounting, insurance & economic advice services in relation to the health insurance market, as & when required
3	CRA International UK Ltd	Actuarial, accounting, insurance & economic advice services in relation to the health insurance market, as & when required
4	Mercer Ireland Ltd	Actuarial, accounting, insurance & economic advice services in relation to the health insurance market, as & when required
5	The study is being conducted by UCD and lead by Professor Cecily Kelleher	The All-Ireland Traveller Health Study (AITHS) is a comprehensive study of the health and social status of the Traveller community in Ireland. The findings of the study will be used to evaluate progress to date with regard to Traveller health and to plan future policy in the area. Final report of the study is due in June 2010.
6	Peter Cassells Consulting Limited	Chairing the Alcohol Marketing Communications Monitoring Body
7	Economic and Social Research Institute	Research commissioned on: National Longitudinal Study of Children in Ireland (NLSCI)
8	Dr. Satya Brink, HR Development Canada	International expertise provided to the National Longitudinal Study of Children in Ireland Steering Group
9	Professor Ann Sanson, Network coordinator, Australian Research Alliance for Children and Youth, Melbourne, Victoria, Australia.	International expertise provided to the National Longitudinal Study of Children in Ireland Steering Group
10	Child and family research centre, National University of Ireland, Galway	Children as Carers — A study of the extent to which children undertake inappropriate care roles
11	Professor Robbie Gilligan, The Children's Research Centre, Trinity College, Dublin	Research commissioned on: A follow up study on the educational and social support experiences of young people in long term foster care
12	Dr. Evelyn Mahon, Trinity College, Dublin	Research commissioned on: A study of parent-child contact agreements and Arrangements based on Court Records
13	Jim Halley, 2 Collaborate	Survey of clients of the Office of the Disability Appeals Officer (ODAO) to ascertain level of satisfaction with our communication process.
14	Fiona Keogh, Dunlaoghaire, Co. Dublin	Research Support for the Disability Sector VFM Expert Reference Policy Group
15	Carole C Devaney, Monkstown, Co. Dublin	Editing of Report — "National Policy and Strategy for the Provision of Neuro-Rehabilitation Services 2010-2015"

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No.	Consultants currently working for/in the Department	Details of work being carried out
16	William Fry Solicitors	Provision of independent legal advice to the National Oversight Committee for Repayment Scheme for Long Stay Charges.
17	Cnag ar an Doras	Evaluation and Report of the Comhairle na nOg Development Fund 2007-2008 and 2008-2009 and Inclusion Programme 2008
18	Cnag ar an Doras	Evaluation and Report of the Inclusion Programme 2009
19	Cnag ar an Doras	Project Manager for the national consultation with Children Living in the Care of the State
20	Cnag ar an Doras	Evaluation and Report on the work of the Children and Young Peoples Advisory Forum
21	Liz Harper	Support for the Office of the Minister for Children and Youth Affairs Inclusion Programme participant organisations
22	Liz Harper	Evaluator of the Dáil na nÓg Council
23	Anna Gunning	Support and facilitation for the Office of the Minister for Children and Youth Affairs Children and Young People's Forum meetings
24	Niamh McCrea	Support and facilitation for the OMCYA Children and Young People's Forum meetings
24	Irish Heart Foundation	Provision of Nutrition Policy advice

Nursing Homes Support Scheme.

232. **Deputy Richard Bruton** asked the Minister for Health and Children if a patient who is in a nursing home sacrifices the 15% cap on the contribution towards nursing home costs from the family home if they sell the home while in the nursing home; and if she will make a statement on the matter. [6232/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): The Nursing Homes Support Scheme aims to prevent people from having to sell their family home to fund their long-term care. If, however, a person applies for the Nursing Home Loan but subsequently chooses to sell the family home, the amount loaned on the basis of that asset up to that point must be repaid within six months of the sale. Thereafter, the proceeds of the sale would be treated as Cash Assets and would not be subject to the 7.5% (member of a couple) or 15% (single person) cap on property/land, as appropriate. Cash Assets are taken into account at a rate of 5% per annum for as long as the person remains in nursing home care.

Question No. 233 answered with Question No. 212.

Inter-Country Adoptions.

234. **Deputy Liz McManus** asked the Minister for Health and Children if the proposed Adoption Bill will recognise direct adoptions from Hague ratified contracting states where such adoptions are legislated for and administered in line with the Hague Convention good practice guidelines; if she will table an amendment to the Bill giving recognition to such adoptions; and if she will make a statement on the matter. [6269/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The Adoption Bill 2009, is designed to give force of law to the Hague Convention on the Protection of Children and Co-operation in Respect of Inter-country Adoption. The new legislation, which

incorporates the provisions of the Hague Convention, is designed to provide a framework to ensure that appropriate procedures have been followed and that all adoptions are effected in the best interests of the child. Future intercountry adoption arrangements will be governed by the terms of the Adoption Bill 2009 when enacted.

With regard to the issue of “independent” adoptions, I would draw the Deputy’s attention to the provisions set out in Part 13 of the Adoption Bill which identify the restrictions on a person in seeking to make arrangements for adoptions. It also identifies the particular role of accredited authorities in this regard.

Question No. 235 answered with Question No. 212.

Hospital Services.

236. **Deputy Pat Breen** asked the Minister for Health and Children the reason for bed closures at a hospital (details supplied) in County Clare; her plans to extend surgical facilities at this hospital; and if she will make a statement on the matter. [6303/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Question No. 237 answered with Question No. 228.

238. **Deputy Michael Ring** asked the Minister for Health and Children when a medical procedure will be carried out on a person (details supplied) from County Mayo. [6349/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Hospitals Building Programme.

239. **Deputy Pat Breen** asked the Minister for Health and Children if she will report on the timeframe for the capital development programme at a hospital (details supplied) in County Clare; if a project manager has been appointed; and if she will make a statement on the matter. [6382/10]

Minister for Health and Children (Deputy Mary Harney): I am committed to ensuring that all necessary developments are put in place at the hospital to support the ongoing reconfiguration within the region. My Department is currently reviewing the HSE’s draft capital plan for the period 2010-2014 and following up with the Executive where further details may be required. The plan requires my approval with the consent of the Minister for Finance. Details of the plan will be published by the HSE following its approval.

Medical Cards.

240. **Deputy Mary Upton** asked the Minister for Health and Children the reason the processing of medical card applications for persons over 70 years is taking a long time; the further reason the system is not made easier for elderly applicants; and if she will make a statement on the matter. [6386/10]

Minister for Health and Children (Deputy Mary Harney): Following the change in medical card eligibility for persons aged 70 and over in the Health Act 2008, the Health Service Executive (HSE) through its Service Plan for 2009, advised the Department of its decision to centralise the processing of all medical card and GP visit card applications and renewals to the Primary

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Care Reimbursement Service (PCRS) in Dublin. The HSE indicated that this decision was taken in the context of the Executive's requirements to make efficiencies in business practices that could realise savings in a very challenging economic environment and provide a modern service to the public within sustainable levels of expenditure.

I fully support the HSE's decision to centralise the processing of all medical card applications and reviews. I wrote to all Oireachtas members on 19 January 2010 outlining a range of measures being employed by the Executive to address issues arising from this initiative and I also referred to the various enhancements that this process will facilitate upon completion. As aspects of the Deputy's question refer to operational matters, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to address these matters and to have a reply issued directly to the Deputy.

Health Services.

241. **Deputy Michael Ring** asked the Minister for Health and Children if a person (details supplied) in County Mayo will be seen by an occupational therapist. [6444/10]

Minister for Health and Children (Deputy Mary Harney): Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. With regard to the provision of occupational therapy services, as this is a service matter it has been referred to the HSE for direct reply.

National Treatment Purchase Fund.

242. **Deputy Seán Ó Fearghaíl** asked the Minister for Health and Children if a person (details supplied) in County Kildare has been referred to the National Treatment Purchase Fund for orthopaedic intervention; when surgery will take place; and if she will make a statement on the matter. [6449/10]

Minister for Health and Children (Deputy Mary Harney): The scheduling of patients for hospital treatment is in each case determined on the basis of clinical need. Therefore should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, then he/she would be in the best position to take the matter up with the consultant involved. The primary remit of the National Treatment Purchase Fund (NTPF) is to facilitate treatment for those public patients waiting longest for surgery. I have asked the Fund to respond to the Deputy in relation to the particular case raised.

Health and Safety Regulations.

243. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the reason the Health Service Executive and the Health Information and Quality Authority are not carrying out the portable appliance test of all moveable electrical equipment in offices, hospitals, centres and so on as required by the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007, to ensure the safety and welfare of both employees and employers; if her attention has been drawn to the fact that records of all such tests must be kept for at least five years to allow the Health and Safety Authority to carry out random spot checks and that insurance companies and underwriters are already seeking proof of compliance prior to renewal of policies; and if she will make a statement on the matter. [6452/10]

Minister for Health and Children (Deputy Mary Harney): The Health Information and Quality Authority have indicated that they have no such equipment that requires to be tested under the Safety, Health and Welfare at Work Regulation. In respect of the Health Service Executive, as this is a service matter it has been referred to them for direct reply.

244. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children if all the portable electrical equipment in her Department has a portable appliance testing certificate as required by Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007; if not, the reason for same. [6453/10]

245. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children if all the portable electrical equipment in her Department and subsidiary or grant aided companies has portable appliance test certificates as required by the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007; if not, the reason for same; if her attention has been drawn to the fact that a PAT must be carried out on all moveable electrical equipment in offices, centres and so on, to ensure the safety and welfare of both employees and employers; if her further attention has been drawn to the fact that records of all such tests must be kept for at least five years to allow the Health and Safety Authority to carry out random spot checks and that insurance companies and underwriters are already seeking proof of compliance prior to renewal of policies; and if she will make a statement on the matter. [6468/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 244 and 245 together.

S.I. No. 299 requires that equipment exposed to conditions causing deterioration liable to result in danger and supplied at a voltage exceeding 125 volts alternating current is visually checked by the user before use and is periodically checked by a competent person, appropriated to the nature, location, and use of the equipment. In general, portable equipment in use in the Department of Health and Children would not fall within the scope of S.I. No. 299. However, it is our standard practice to adhere to prescribed maintenance arrangements for electrical and other equipment.

Hospital Services.

246. **Deputy Michael Ring** asked the Minister for Health and Children if a person (details supplied) in County Mayo will be called for a procedure at University College Hospital, Galway. [6504/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Services for People with Disabilities.

247. **Deputy David Stanton** asked the Minister for Health and Children if she will put the National Quality Standards: Residential Settings for People with Disabilities published by the Health Information and Quality Authority in 2009 on a statutory footing; if she will implement mandatory inspections of residential institutions for all persons with disabilities and not just children; when she will do same; and if she will make a statement on the matter. [6598/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): My Department is currently working closely with HIQA and the HSE with the view to commencing the Health Act 2007 to allow for the independent registration and inspection of all residential

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centres and respite services for children with a disability. The intention is to have this registration and inspection system in place by December 2010, as committed to in the Ryan Commission report Implementation Plan.

Children with disabilities in generic residential centres under the Child Care Act 1991, are already covered by the standards and inspection regimes applying to those centres. The new registration and inspection system will incorporate all centres providing residential or respite care to children with disabilities, including those centres run by voluntary organisations that are currently excluded from inspection under the Child Care Act 1991.

In respect of residential services for adults with disabilities, I will shortly be bringing detailed proposals to Government with regard to the protection of vulnerable adults with disabilities who are currently in institutional care.

As Deputies will be aware, “National Quality Standards: Residential Settings for People with Disabilities” have been published by HIQA. Following a public consultation process initiated by HIQA they were formulated by a Standards Advisory Group that comprised officials of HIQA, my Department, the HSE, service providers, organisations representing people with disabilities and service users. These standards will provide a national framework for quality, safe services for persons with disabilities in a residential setting. At present the standards apply only to adult services but work is at an advanced stage to develop standards for children’s services.

Given the current economic situation, to move to full statutory implementation of the standards, including regulation and inspection, presents significant challenges at this time. However, notwithstanding the difficulties of immediate statutory implementation, my Department, the HSE and HIQA have agreed that progressive non-statutory implementation of the Standards will now commence, and that they will become the benchmark against which the HSE assesses both its own directly operated facilities and other facilities that the HSE funds. Discussions are ongoing regarding the development of self-assessment tools, providing awareness training for service providers and the introduction of an appropriate level of external validation for relevant settings.

A number of preliminary processes are already in place within the HSE to facilitate this work. For example, compliance with the HIQA standards is included in the Service Level Arrangements being implemented between the HSE and service providers. As part of the ongoing review of Service Level Arrangements, service providers will now be required to demonstrate compliance with the standards through the provision of audit outcomes. I am informed by the HSE that the majority of service providers have already commenced a review of their services within the context of the HIQA standards and many service providers have also achieved external accreditation over the past number of years.

In addition, I am assured by the HSE that it has a robust system in place to deal with any complaints made in relation to the treatment of persons with disabilities in residential care. This includes ensuring that all HSE funded service providers of residential care have appropriate complaints procedures that are in line with HSE policy.

Question No. 248 answered with Question No. 210.

Hospital Services.

249. **Deputy Charles Flanagan** asked the Minister for Health and Children when funding will be available in order for the renal service at the Midlands Regional Hospital, Tullamore,

County Offaly, to be fully commissioned and staffed; and if she will make a statement on the matter. [6600/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Question No. 250 answered with Question No 210.

Medical Cards.

251. **Deputy Michael Ring** asked the Minister for Health and Children when a medical card in respect of a person (details supplied) in County Mayo will be renewed in view of the fact that all the necessary information has been submitted. [6623/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Inter-Country Adoptions.

252. **Deputy Joe McHugh** asked the Minister for Health and Children the focus and thrust of the reviews that are being conducted in respect of under review countries; the outcome of the adoption laws if these countries are deemed to be incompliant; and if she will make a statement on the matter. [6626/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The reviews undertaken by the Adoption Board in relation to foreign adoptions are reviews of legal compatibility between Ireland and the country concerned. In the event that the legislation is found to be incompatible the inter-country adoption may not be recognised as a foreign adoption under section 1 of the Adoption Act 1991. This provision is carried forward in the Adoption Bill 2009.

Pharmacy Services.

253. **Deputy Brendan Howlin** asked the Minister for Health and Children if her attention has been drawn to the fact that some pharmacists charge above the agreed mark-up and dispensing fee in relation to prescribed medicines; if she has a monitoring or reporting system in place to deal with such breaches and to ensure redress for aggrieved pharmacy customers; and if she will make a statement on the matter. [6627/10]

Minister for Health and Children (Deputy Mary Harney): On 1 July last, I made regulations under the Financial Emergency Measures in the Public Interest Act 2009 to specify the fees and other payments to be made to pharmacists who dispense drugs and medicines under the GMS (medical card), the Drug Payment Scheme (DPS), the Long Term Illness Scheme (LTI) and other community drugs schemes. The main changes were: A new dispensing fee structure based on a sliding scale as follows: €5 for first 20,000 items, €4.50 for next 10,000 items and €3.50 for the remaining items. Retail Mark-up was reduced from 50% to 20%. Wholesale Mark-up was reduced from 17.66% to 10% of the ex-factory price of drugs.

It is my view that the fees and mark-ups set out in the regulations should be applied to all transactions where a person produces a DPS card, including transactions where expenditure has not reached the €120 monthly threshold under the DPS scheme. I have been disappointed to learn that some pharmacists are not applying the fees and mark-ups in this manner. I have raised this matter with the Irish Pharmacy Union (IPU) and intend to pursue it further.

Health Services.

254. **Deputy Joe McHugh** asked the Minister for Health and Children if she will review services that are provided to sufferers of cystic fibrosis; if she plans to change existing services; and if she will make a statement on the matter. [6630/10]

Minister for Health and Children (Deputy Mary Harney): I have consistently emphasised the need to improve facilities and services to persons with cystic fibrosis. Following publication of the Pollock Report in 2005, the Health Service Executive established a Working Group to undertake a detailed review of cystic fibrosis services. The Group, which was multi-disciplinary in its composition and included representation from the Department of Health and Children, was asked to review the current configuration and delivery of services to persons with cystic fibrosis in Ireland. The report was published in October 2009. Many of its recommendations had already been implemented.

Some 50 additional staff including consultant, nursing and allied health professionals, have been appointed across the hospital system in recent years to enhance the level of services provided for persons with cystic fibrosis. The HSE was asked to place a particular focus on the development of services at the National Adult Tertiary Referral Centre at St. Vincent's Hospital. The hospital currently treats over 50% of the CF adult population. A number of capital projects have been completed at the hospital and have helped to improve facilities. These include a new ambulatory care centre, the refurbishment of St. Camillus Ward, and a new Emergency Department which includes single room accommodation.

The refurbishment of accommodation to provide eight single en-suite rooms for patients with cystic fibrosis was completed in August 2008 and the beds are now operational. This brings the total level of in-patient accommodation for the treatment of respiratory patients (including people with CF) at the hospital to 63 beds.

A new ward block to replace existing accommodation is being developed at the hospital. This facility will provide single room en-suite in-patient accommodation (100 rooms) and a dedicated day unit for people with CF, including 10 single day treatment rooms with en-suite sanitary facilities. Tenders for this development are currently under consideration. It is estimated that the construction, equipping and commissioning of this block will take approximately 18 months. It is intended that the development will become operational as early as possible in 2011. The new facility will include accommodation for cystic fibrosis patients with appropriate isolation facilities for the treatment of their condition. The HSE is now working with St. Vincent's to identify opportunities for patients who do not require tertiary level care to be treated close to home where adult services have been developed in the other specialist centres.

A number of other significant capital developments are being progressed for cystic fibrosis patients throughout the country, including in Beaumont Hospital. Capital funding has been provided for the development of outpatient facilities for patients with CF treated at Beaumont Hospital. The project is in two phases and the first phase (decanting) was completed at the end of 2009. The second phase is due for completion in the second quarter of 2010. HSE funding enabled the construction of a three storey building consisting of two floors each of 14 single rooms, and 8 bed HDU and two additional ICU rooms (within existing ICU).

Services for patients with cystic fibrosis are also provided at Our Lady's Hospital, Crumlin, Children's University Hospital, Temple Street, Tallaght Hospital, Cork University Hospital, Waterford Regional Hospital, Mid Western Regional Hospital, Limerick, University College Hospital Galway and Our Lady of Lourdes Hospital in Drogheda. The Cystic Fibrosis Registry of Ireland (CFRI) receives support funding from the HSE. Ireland is the only European country to commit public funding to a CF registry. The CFRI is now in a position to produce

relevant data on 90% of people with CF in Ireland. The average enrolment of people with CF in other country registries is approximately 80%.

The Newborn Screening for Cystic Fibrosis Steering Group was established in June 2009 under the Chairmanship of Professor Gerry Loftus, Professor of Paediatrics, Galway. This group has a broad membership from key stakeholders and experts in the field of cystic fibrosis. The screening programme will commence implementation in 2010 provided all the necessary general and specific screening programme governance arrangements are in place. The Cystic Fibrosis Association of Ireland has made representations to the HSE in respect of people with Cystic Fibrosis living in Donegal for whom attendance at the CF centre in Belfast might be more convenient. The HSE is pursuing this through Co-operation and Working Together (CAWT).

I am conscious that further improvements are required, including the need to develop community outreach services to facilitate the treatment of patients outside of a hospital setting where appropriate. Taken together, the planned developments represent a tangible improvement in the quality of services for people with cystic fibrosis.

255. **Deputy Michael McGrath** asked the Minister for Health and Children the requirements a private business must meet in order to be recognised by the Health Service Executive as a provider of home care services for older persons here; the steps such a business must undertake to secure the relevant approval. [6639/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Pre-school Services.

256. **Deputy Jan O'Sullivan** asked the Minister for Health and Children the rights of children with disabilities to attend preschool and to have a special needs assistant if one is required; if a child (details supplied) in County Limerick will be allocated a special needs assistant in order that they will have the equivalent access to preschool education as other children; and if she will make a statement on the matter. [6644/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): All pre-school services are required to make reasonable accommodation for children with special needs, as required under the Equal Status Acts 2000 to 2004. The Early Childhood Care and Education (ECCE) scheme, which was introduced in January this year, and provides for a free pre-school year for all eligible children in the year prior to commencing primary school, includes a number of provisions specifically intended to assist children with special needs. One of these is that, while the age range in which children qualify for the scheme is, generally, between 3 years 3 months and 4 years 6 months in September of the relevant year, exceptions are allowed where a child has been assessed as having a special need which will delay his or her entry to primary school. In such cases, the pre-school year relevant to such children will be taken as their qualifying year.

Additionally, the general requirement under the ECCE scheme that a child would be expected to attend 4 or 5 days each week will not apply to children with special needs where a shorter week would be more appropriate to their needs. Many specialist pre-school services arrange for children attending their services to also attend a mainstream service for 1, 2 or 3 days a week. As a result, 1 full week place in the mainstream service could cater for 2 or more children with special needs on a pro-rata basis. Where appropriate, children with special needs attending a mainstream pre-school service on a pro-rata basis can avail of a second free pre-

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school year. Should additional flexibility in the arrangements for the scheme be required by specialist pre-school services for children with special needs, these will also be considered.

As the Deputy's question also relates to service matters, I have arranged for the question to be referred to the Health Service Executive for direct reply.

Hospital Services.

257. **Deputy Arthur Morgan** asked the Minister for Health and Children the number of patients in County Louth treated for foot ulcerations, which did not require a full or partial lower limb amputation in 2007 and 2008; the number of those patients who had diabetes; and if she will make a statement on the matter. [6651/10]

258. **Deputy Arthur Morgan** asked the Minister for Health and Children the number of patients under 65 years residing in County Louth treated for foot ulcerations, which did not require a full or partial limb amputation in 2007 and 2008; the number of those patients who had diabetes; and if she will make a statement on the matter. [6652/10]

259. **Deputy Arthur Morgan** asked the Minister for Health and Children the number of full or partial lower limb amputations carried out on patients residing in County Louth in 2007 and 2008; the number of those patients who had diabetes; and if she will make a statement on the matter. [6653/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): I propose to take Questions Nos. 257 to 259, inclusive, together.

The information requested is contained in the table:

Hospital Inpatient Enquiry: Foot Ulcerations, Lower Limb Amputations and Diabetes

	Area of Residence			
	Louth		National Total	
	2007	2008	2007	2008
Number of admissions with a diagnosis of foot ulcerations and without a full or partial lower limb amputation	148	94	3,826	3,777
— Number of these patients with a diagnosis of diabetes	35	37	1,361	1,298
Number of admissions aged under 65 with a diagnosis of foot ulcerations and without a full or partial lower limb amputation	70	27	1,100	987
— Number of these patients with a diagnosis of diabetes	13	11	412	421
Number of full or partial lower limb amputations	24	19	703	667
— Number of these patients with a diagnosis of diabetes	12	10	334	338

Source: Hospital Inpatient Enquiry.

Note: Data refer to discharges from publicly funded acute hospitals. Private hospitals are not included.

The HSE is currently developing a programme for diabetes which will establish an integrated diabetic service between community and hospital. Its objective is to improve specific targets to reduce both acute and chronic complications. It will also include effective foot care to reduce severe infection and amputation in diabetes. The recommendations of the Expert Advisory group will be progressed within the context of the Diabetes programme.

Services for People with Disabilities.

260. **Deputy Richard Bruton** asked the Minister for Health and Children the reason for the delay in opening a facility (details supplied) in County Dublin which was granted a derogation from the moratorium on recruitment but has not yet been granted despite the fact that the building has been completed since July 2009; and if her attention has been drawn to the very acute needs of the proposed residents. [6657/10]

Minister of State at the Department of Health and Children (Deputy John Moloney): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply.

Hospital Staff.

261. **Deputy Arthur Morgan** asked the Minister for Health and Children the cost of security at Our Lady of Lourdes Hospital, Drogheda, County Louth in each of the past five years; the number of security personnel employed in each of the past five years; if security personnel at this hospital have certificates from the Private Security Authority; if security personnel are employed directly by the Health Service Executive or agency workers; and if she will make a statement on the matter. [6659/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Misuse of Drugs.

262. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the substances in products sold in head shops that are currently banned. [6679/10]

Minister for Health and Children (Deputy Mary Harney): The Misuse of Drugs Act 1977 and its associated regulations control the import, export, production, supply and possession of a range of named narcotic drugs and psychotropic substances listed in the Schedules to the Act. Substances are scheduled under the Act in accordance with Ireland's obligations under international conventions and/or where there is evidence that the substances are causing significant harm to public health in Ireland.

The list of scheduled substances is kept under ongoing review. For example, in 2006 psychotropic ("magic") mushrooms were banned and their possession and sale is now illegal. On 31 March 2009, BZP was similarly subjected to legislative control measures and criminal sanctions. The Department is currently examining how the substances contained in SPICE, the BZP derivatives and others can be controlled under the Misuse of Drugs legislation. It is my intention to make the necessary regulations before the end of June.

263. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the policy regarding the sale and use of pseudoephedrine. [6680/10]

Minister for Health and Children (Deputy Mary Harney): Pseudoephedrine is a decongestant used in the treatment of colds and flu. The sale and supply of medicinal products containing pseudoephedrine is covered in the Medicinal Products (Prescription and Control of Supply Regulations) 2003 as amended. Products containing pseudoephedrine are exempt from prescription control at the low doses specified in the Regulations; however, under Regulation 6(1) such products are sold in pharmacies under conditions where the supply is effected by or under the personal supervision of a pharmacist.

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Pseudoephedrine is also controlled by the EU Regulations 273/2004 and 111/2005 on Drug Precursors and the European Communities (Control of Precursors) Regulations 2009 (S.I. No. 558 of 2009). This legislative framework lays down rules for the monitoring of trade in drug precursors (such as pseudoephedrine) within the EU and with Third Countries. This legislation places obligations on operators (including manufacturers and distributors) to obtain a licence to possess or place drug precursors on the market.

Health Services.

264. **Deputy Seán Fleming** asked the Minister for Health and Children when a person (details supplied) in County Kildare will receive the necessary tests and treatment in view of their difficult medical situation; and if she will make a statement on the matter. [6685/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Child Care Services.

265. **Deputy Seán Fleming** asked the Minister for Health and Children the payments made to date and the payment yet to be made by her Department to a child care group in respect of a new child care facility (details supplied) in County Laois; if she is satisfied that all funds paid to date have been used in respect of the child care facility; if outstanding grant payments will be used for this purpose; if she is further satisfied with the financial arrangements regarding the provision of the new child care facility paid for by a grant from her Department; and if she will make a statement on the matter. [6687/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): I have responsibility for implementing the National Childcare Invention Programme 2005-2010 (NCIP), under which capital grant funding is made available to community and commercial child care providers for the development of child care facilities. I understand that the company in question was approved capital grant funding under the NCIP of up to €1 million in March 2007, to develop a child care facility and that the facility in question is at an advanced stage. I also understand from Pobal, who assist my Office in administering the NCIP, that €910,494 of the capital grant has been paid to the company to date and all reporting requirements in relation to eligible expenditure under the NCIP have been complied with.

Medical Cards.

266. **Deputy Edward O’Keeffe** asked the Minister for Health and Children the position regarding a medical card application in respect of a person (details supplied) in County Cork. [6708/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Inter-Country Adoptions.

267. **Deputy Jim O’Keeffe** asked the Minister for Health and Children the position regarding foreign adoptions and in particular in relation to persons who have been waiting years to complete the adoption process; and if she will make a statement on the matter. [6650/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The Adoption Bill 2009, is designed to give force of law to the Hague Convention on the Protection

of Children and Co-operation in respect of Inter-country Adoption. The new legislation, which incorporates the provisions of the Hague Convention, is designed to provide a framework to ensure that appropriate procedures have been followed and that all adoptions are effected in the best interests of the child. Future inter-country adoption arrangements will be governed by the terms of the Adoption Bill 2009 when enacted.

The current policy position, as set out in the Adoption Bill 2009, is that for an adoption to be registered under the Bill it must be effected in a contracting State to the Hague Convention or in a country with which Ireland has a bilateral agreement. For non-Hague countries only those adoptions effected prior to the commencement of the new law can be registered on the Register of Inter-Country Adoptions to be established under the Bill.

I announced on 26 January my intention to bring forward on Committee Stage an amendment to the Adoption Bill 2009 that will enable prospective adoptive parents to proceed with an adoption from a non-Hague or non-bilateral country, if prior to the establishment date, they have been issued with a Declaration of Eligibility and Suitability to adopt. The proposed amendment requires that the Adoption Authority (to be set up under the Act) would be satisfied that the particular adoption meets all the standards of the Hague Convention.

Applicants for inter-country adoption must undergo a detailed statutory assessment process, which is undertaken by professional social workers, and must be approved by the Adoption Board before a Declaration of Eligibility and Suitability to adopt abroad can be issued to them from the board.

I acknowledge that persons applying for inter-country adoption are currently experiencing unacceptably long delays as regards waiting times for assessment. Requests for assessment for inter-country adoption are continuously increasing and Ireland currently has one of the highest rates for inter-country adoption in Europe. The Health Service Executive has responsibility for the assessments of applicants for adoption through its social work service. I have asked the Health Service Executive to do everything possible to reduce waiting times and assessment times for prospective adopters which currently are excessively long. In addition, Part 13 of the Adoption Bill 2009 provides for the registration of accredited bodies to carry out aspects of the adoption process, including assessment.

Health Services.

268. **Deputy Edward O’Keeffe** asked the Minister for Health and Children the position regarding an appeal lodged in respect of a person (details supplied) in County Cork. [6743/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards.

269. **Deputy Michael Ring** asked the Minister for Health and Children the position regarding a medical card application in respect of a person (details supplied) in County Mayo; and if it will be processed. [6755/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Service Funding.

270. **Deputy Róisín Shortall** asked the Minister for Health and Children when section 39 funding allocations will be announced. [6780/10]

Minister for Health and Children (Deputy Mary Harney): I have referred this matter to the HSE for direct reply.

Health Service Plan.

271. **Deputy Róisín Shortall** asked the Minister for Health and Children if the Health Service Executive is required to produce a national service plan for 2010; and when this will be available. [6781/10]

Minister for Health and Children (Deputy Mary Harney): Under section 31(1) of the Health Act 2004, the HSE is required to prepare an annual National Service Plan. The plan must indicate the type and volume of health and personal social services to be provided by the HSE. I approved the HSE National Service Plan 2010 on 5 February 2010 under section 31(8) of the Health Act 2004. In approving the plan, I highlighted to the HSE the necessity that it delivers at a minimum, the levels of service set out in the plan as well as operating within the limits of its Voted allocation. During 2010, the HSE will provide me with detailed information related to service activity levels by way of monthly performance reports against the plan. The plan was laid before both Houses of the Oireachtas on Monday, 8 February 2010 in line with section 31(13) of the Health Act 2004 and was subsequently published on the HSE's website at www.hse.ie.

Vaccination Programme.

272. **Deputy Deirdre Clune** asked the Minister for Health and Children the persons entitled to receive the HPV vaccine; and if she will make a statement on the matter. [6784/10]

273. **Deputy Deirdre Clune** asked the Minister for Health and Children if she will provide the HPV vaccine to girls over 12 years who would be at risk for family reasons of contracting cervical cancer; and if she will make a statement on the matter. [6785/10]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 272 and 273 together.

I have always accepted the consensus view of the relevant expert bodies that the introduction of a universal high uptake vaccination programme in young girls, in conjunction with population based cervical screening, could significantly reduce overall cervical cancer incidence. The issue was not, therefore, whether the case for a cervical cancer vaccination programme was accepted by myself and the Government — because it always was — but how to place such a programme in order of clinical priorities for the allocation of scarce resources available for public health services and for the cancer programme in particular.

Recently I requested the HSE to initiate a tendering process for the procurement of a HPV vaccine with a view to commencing a HPV vaccination programme for all girls in first year in secondary school and until this process was completed I was not in a position to say if or when I would introduce this programme. This tendering process for the vaccine is now complete. We can now purchase the vaccine at a price much lower than we expected to pay in 2008 and at a price much closer to what is being paid in other countries. In these circumstances, the programme can now be delivered from the extra resources committed in this year's budget to the overall cancer programme.

The HSE is committed to starting this campaign during the current school year. This will involve the free vaccination of up to 30,000 girls mainly in school settings and an announcement of the details of the full programme involved will be made by the HSE in the near future. The programme will continue with vaccine being offered to all girls in first year in secondary school

each year but it is not proposed to extend the vaccination programme to other classes at present.

Question No. 274 answered with Question No. 210.

Adoption Services.

275. **Deputy Michael McGrath** asked the Minister for Health and Children when she expects the Adoption Bill 2009 to be enacted. [6796/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The Adoption Bill 2009 was published in January 2009 and completed all stages in the Seanad by May 2009. Second Stage was commenced in Dáil Éireann on 18 November 2009 and completed on 21 January 2010. Committee Stage is scheduled to commence on 17 February 2010 and it is hoped that the Bill will complete its passage through both Houses shortly thereafter.

Inter-Country Adoptions.

276. **Deputy Michael McGrath** asked the Minister for Health and Children the list of countries that are currently Hague compliant in terms of inter-country adoption; the implications for couples intending to adopt from non-Hague countries who will not have received their declaration of eligibility prior to the enactment of the Bill. [6797/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): The Adoption Board has provided a list of countries/territories that are compliant/non-compliant with Hague and/or Irish Adoption Law. Details are available on the Adoption Board website at www.adoptionboard.ie. The Adoption Bill 2009, is designed to give force of law to the Hague Convention on the Protection of Children and Co-operation in respect of inter-country adoption. The new legislation, which incorporates the provisions of the Hague Convention, is designed to provide a framework to ensure that appropriate procedures have been followed and that all adoptions are effected in the best interests of the child. Future inter-country adoption arrangements will be governed by the terms of the Adoption Bill 2009 when enacted.

The current policy position, as set out in the Adoption Bill 2009, is that for an adoption to be registered under the Bill it must be effected in a contracting State to the Hague Convention or in a country with which Ireland has a bilateral agreement. In addition I announced on 26 January my intention to bring forward on Committee stage an amendment to the Adoption Bill 2009 that will enable prospective adoptive parents to proceed with an adoption from a non-Hague or non-bilateral country, if prior to the establishment date, they have been issued with a Declaration of Eligibility and Suitability to adopt. The proposed amendment requires that the Adoption Authority (to be set up under the Act) would be satisfied that the particular adoption meets all the standards of the Hague Convention.

Hospital Waiting Lists.

277. **Deputy Michael McGrath** asked the Minister for Health and Children if she will provide information regarding public hospital waiting lists (details supplied). [6800/10]

Minister for Health and Children (Deputy Mary Harney): The management of out-patient waiting lists is a matter for the HSE and the individual hospitals concerned. I have, therefore, referred the Deputy's question to the Executive for direct reply.

278. **Deputy Michael McGrath** asked the Minister for Health and Children if she will provide information regarding public hospital waiting lists for surgery (details supplied). [6801/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter, it has been referred to the HSE for direct reply.

Health Service Properties.

279. **Deputy Jan O’Sullivan** asked the Minister for Health and Children the Health Service Executive plans for a house (details supplied) in Dublin 4; and if she will make a statement on the matter. [6802/10]

Minister of State at the Department of Health and Children (Deputy Barry Andrews): As this is a service matter it has been referred to the HSE for direct reply.

Health Service Staff.

280. **Deputy Dan Neville** asked the Minister for Health and Children the regulatory regime for psychotherapists. [6804/10]

Minister for Health and Children (Deputy Mary Harney): The ongoing regulatory programme undertaken by my Department has seen the introduction of the Health and Social Care Professionals Act 2005, providing for statutory registration for 12 designated health and social care professional grades. The structure of the system of statutory registration will comprise a registration board for each of the professions to be registered, a health and social care professionals council with overall responsibility for the regulatory system and a committee to deal with disciplinary matters.

As a first step in the implementation of the system of statutory registration, I launched the Health and Social Care Professionals Council in March 2007. The CEO and an administrative staff member were appointed in 2008 and an additional two senior administrative staff took up duty with the council in late 2009. These appointments will greatly assist the council in its ongoing work in preparing for the establishment of the individual registration boards, the first of which (the Social Work Registration Board) is to be established shortly. The council is currently working to put in place the necessary structures for registration, education and fitness to practise for the 12 health and social care professions designated in the Act and it is hoped to bring additional registration boards on stream in late 2010.

The Health and Social Care Professionals Council will enable health and social care professionals to practise in a regulated, controlled and safe environment and in a manner which will ensure the provision of high-quality interventions, meeting the challenges of increasingly complex and evolving care for service users. While the proposed system of statutory registration applies, in the first instance to 12 health and social care professions, the legislation empowers the Minister for Health and Children to include, on the basis of specific criteria, additional health and social care professions in the regulatory system by regulation over time, as appropriate. However, the priority for the Health and Social Care Professionals Council is to establish statutory registration for the 12 designated health and social care professions in the first instance. The issue of inclusion of other grades, such as psychotherapists, within the scope of statutory registration will be considered after the initial designated 12 professional grades have been fully dealt with.

Medical Cards.

281. **Deputy Seán Ó Feargháil** asked the Minister for Health and Children if a medical card will be issued to a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6842/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Assisted Human Reproduction.

282. **Deputy John O'Mahony** asked the Minister for Health and Children if she will introduce legislation to protect human embryos outside the womb. [6854/10]

Minister for Health and Children (Deputy Mary Harney): The Supreme Court recently decided in the *RvR (frozen embryos)* case that the frozen embryos at issue in the case do not have the constitutional protection of Article 40.3.3 of the Constitution. It is my intention to bring forward proposals to Government later this year with a view to drafting legislation to govern the area of Assisted Human Reproduction and related practices. The work involved in developing these proposals will examine and consider — among other things — the issues arising from the *frozen embryos* Supreme Court judgment.

Question No. 283 answered with Question No. 212.

Nursing Homes Repayment Scheme.

284. **Deputy David Stanton** asked the Minister for Health and Children the number of repayments made under the Health (Repayment Scheme) Act 2006 to date; the number of cases in which funds have been deposited into patient private property accounts; and if she will make a statement on the matter. [6949/10]

Minister for Health and Children (Deputy Mary Harney): The Health Service Executive has responsibility for administering the Health Repayment Scheme in conjunction with the appointed scheme administrator KPMG accountants and McCann Fitzgerald solicitors. A total of 35,300 claims have been received for the scheme. In excess of 35,000 or 99.3 % of all claims have been concluded. To date a total of 18,898 repayments of maintenance charges to the value of €423 million have been processed under the scheme. This includes 4,463 repayments deposited to patient private property accounts valued at €112 million. The remaining claims are being progressed currently and it is expected that these will be finalised in the coming weeks.

Hospital Closures.

285. **Deputy Seán Sherlock** asked the Minister for Health and Children when it is proposed to close Heatherside Hospital, County Cork; if consideration has been given to retaining the hospital within the Health Service Executive with a view to changing its use to cater to the local population as a community facility; and if she will make a statement on the matter. [7001/10]

Minister of State at the Department of the Health and Children (Deputy Áine Brady): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Food Labelling.

286. **Deputy Lucinda Creighton** asked the Minister for Health and Children if she will support the introduction of traffic light colour coding for food packaging to indicate the relative healthiness of the food product; and if she will make a statement on the matter. [3852/10]

Minister of State at the Department of Health and Children (Deputy Trevor Sargent): The issue of the presentation of the mandatory nutrition declaration is currently being considered in the context of the EU proposal for a regulation on the provision of food information to consumers. This proposal was introduced in January 2008. Since then, it has been discussed at

[Deputy Trevor Sargent.]

an EU working group, on which Ireland is represented by the Department of Health and Children and the Food Safety Authority of Ireland.

The proposal makes allowance for a mandatory nutrition declaration. This will compel the Food Business Operator to display the food's energy value, the amounts of fat, saturates, carbohydrates, sugars, proteins and salt. During the course of the working group's discussions, consideration has been given to the best way in which to present the declaration. Two of the main forms of presentation are Traffic Lights and Guideline Daily Amounts (GDAs). The former involves the use of red, yellow and green colours on the label to indicate if a product is healthy or not. The latter is a more detailed system, involving the display of the percentage of the consumer's Guideline Daily Amount contained in the food, for each of the main nutrients.

The group considers that it is difficult to determine a preference for one method of presentation over the other. While the proposal may not be finalised until late 2010 at the earliest, it seems likely that the group will recommend that both schemes of presentation should be permitted. Ireland considers this to be the best course of action.

Health Service Staff.

287. **Deputy Deirdre Clune** asked the Minister for Health and Children the position regarding the level of orthodontic services based in St. Finbarr's Hospital, Cork; the number of orthodontists employed in the Cork region; the number of patients on the waiting lists for orthodontic services in the Cork region; the length of waiting time; and if she will make a statement on the matter. [7015/10]

Minister for Health and Children (Deputy Mary Harney): As this is a service matter it has been referred to the HSE for direct reply.

Departmental Programmes.

288. **Deputy Fergus O'Dowd** asked the Minister for Health and Children the number of civil and public servants that have signed up for the cycle to work scheme; the cost of the scheme to date in 2010. [7577/10]

Minister for Health and Children (Deputy Mary Harney): Under the cycle to work scheme, the Department advances the cost of the cycle and equipment to the relevant staff members, who then repay the cost net of tax by way of deduction from salary over 12 months. The principal cost of the scheme to the State is the tax relief given to participants. To date 26 staff in my Department have availed of the cycle to work scheme and in 2010 staff have purchased cycles to the value of €1,362.00 under the scheme.

Cycle Facilities.

289. **Deputy Terence Flanagan** asked the Minister for Transport the position regarding the completion of the Sutton to Sandycove cycle and walking track, County Dublin; and if he will make a statement on the matter. [6300/10]

Minister for Transport (Deputy Noel Dempsey): My Department meets with Dublin City Council on a regular basis in relation to a number of cycling projects, including the Sutton to Sandycove route, which I am anxious to progress. I am pleased to report that progress is being made on the route. A key section of the Sutton to Sandycove route (i.e. from Sir John Rogerson's Quay via the Samuel Beckett Bridge to Fairview) forms part of the Dublin City premium cycle route from Portobello to Fairview Park that I have pledged to support in 2010. The

Minister for the Environment, Heritage and Local Government is also providing funding for this section.

With regard to other sections of the route I have previously expressed my concern to Dublin City Council about the potential cost of proposals that are emerging in relation to some of these. I am particularly concerned in relation to any expectation that the provision of premium cycling infrastructure along this route must necessarily involve very substantial costs associated with design approaches which are not appropriate to the current economic circumstances or are primarily related to coastal protection works. My officials will continue to engage with Dublin City Council to get solutions which offer the best value for money for cycling and walking.

290. **Deputy Michael McGrath** asked the Minister for Transport if funding is available for schools wishing to erect a bicycle shelter on campus. [6098/10]

Minister for Transport (Deputy Noel Dempsey): My Department, through the then Dublin Transportation Office, supported in 2008 and 2009 the provision of cycling parking facilities in schools which actively participated in An Taisce's Green-Schools Travel Programme and which demonstrated a commitment to the promotion of cycling. 790 spaces in 39 schools were provided in 2008 and a further 1,790 spaces in 114 schools were provided in 2009.

Data from that programme indicates that the best results are achieved from providing cycle parking in schools in conjunction with cycling training — which, along with other alternative sustainable travel options, my Department also supports through the programme. Where this was done, a six-fold increase in cycling rates was achieved in urban schools and almost a three-fold increase in rural schools. I envisage that support for cycle parking in schools in 2010 will be channelled through the Green Schools Travel Programme and through a number of projects that will be delivered with support from the Smarter Travel Projects Fund. I am pleased to say that I am making €2 million available this year to support the Green Schools Travel Programme.

Departmental Procurement.

291. **Deputy Joe McHugh** asked the Minister for Transport the companies that have been granted contracts for projects worth more than €10 million in the period 2000 to 2010. [6153/10]

294. **Deputy Joe McHugh** asked the Minister for Transport the companies that have been granted contracts for projects worth more than €15 million in the period 2000 to date in 2010. [6325/10]

Minister for Transport (Deputy Noel Dempsey): I propose to take Questions Nos. 291 and 294 together.

CHC Ireland Limited have been granted a contract for more than €15 million for the provision of search and rescue helicopter services for the Irish Coast Guard.

Consultancy Contracts.

292. **Deputy Damien English** asked the Minister for Transport the number of external consultants currently working for or in his Department; the work they are carrying out; and if he will make a statement on the matter. [6207/10]

Minister for Transport (Deputy Noel Dempsey): There are currently seven external consultants working for my Department. The work they are carrying out is contained in the following table:

The Work being carried out

EU Article 4 checks on Irish rail expenditure under the ESIOIP.

Aviation Adviser for the Irish Coast Guard Search & Rescue Helicopter service

Process Auditor for new Irish Coast Guard Search & Rescue Helicopter service tender procedure.

To assess the quality and robustness of project development and implementation of selected Transport 21 projects with regard to compliance with the appraisal and procurement guidelines.

To give advice on the financial, economic and technical aspects of the Transport 21 Capital Investment Programme

To review compliance by the State Agencies responsible for the delivery of transport infrastructure with the appraisal and procurement guidelines during the project appraisal stage

Review of DoT Guidelines on Common Appraisal Framework, reviewing Transport 21 Project Business Cases and drafting post project review methodology

Due Diligence Report on Arklow Harbour

Road Network.

293. **Deputy Michael D. Higgins** asked the Minister for Transport when the stretch of road between Ballindine and Miltown on the N17 will be improved in view of the fact that this was the scene of a tragic accident in November 2009; and if he will make a statement on the matter. [6308/10]

310. **Deputy Michael D. Higgins** asked the Minister for Transport the measures taken to prevent such tragedies as the 17 November 2009 incident, in which four young persons lost their lives on the N17 between Mayo and Galway, from happening in the future; if he will sign an on-line petition in support of the families; and if he will make a statement on the matter. [6956/10]

Minister for Transport (Deputy Noel Dempsey): I propose to take Questions Nos. 293 and 310 together.

As Minister for Transport, I have responsibility for overall policy and funding in relation to the national roads programme element of Transport 21. The construction, improvement and maintenance of individual national roads, including the N17 between Ballindine and Miltown, is a matter for the National Roads Authority under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned.

Question No. 294 answered with Question No. 291.

Rail Network.

295. **Deputy Thomas P. Broughan** asked the Minister for Transport the number of kilometres of the rail network here that are electrified; the way this compares with railway electrification in states across the EU; the measures he proposes to increase the level of rail electrification here; and if he will make a statement on the matter. [6443/10]

Minister for Transport (Deputy Noel Dempsey): Matters relating to the development of the rail network, including electrification, are a matter for Iarnród Eireann in the first instance. I have asked the company to respond directly to the Deputy with the statistical information sought. The DART underground programme will involve a significant expansion in the number of kilometres of electrified track. The Deputy will be aware that since 1 December 2009 rail investment in the Greater Dublin Area (GDA), including the development of the DART underground programme, is a matter which comes under the remit of the National Transport Authority (NTA). There are currently no plans for additional electrification of rail lines other than the works under the DART underground programme.

Health and Safety Regulations.

296. **Deputy Aengus Ó Snodaigh** asked the Minister for Transport if all the portable electrical equipment in his Department and subsidiary companies have portable appliance test certificates as required by the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007; if not, the reason for same; if his attention has been drawn to the fact that a PAT must be carried out on all moveable electrical equipment in offices, centres and so on, to ensure the safety and welfare of both employees and employers; if his further attention has been drawn to the fact that records of all such tests must be kept for at least five years to allow the Health and Safety Authority to carry out random spot checks and that insurance companies and underwriters are already seeking proof of compliance prior to renewal of policies; and if he will make a statement on the matter. [6454/10]

Minister for Transport (Deputy Noel Dempsey): My Department implements an ongoing PAT programme in order to ensure that portable equipment used in Departmental premises is maintained in a manner fit for safe use. Comprehensive reports were prepared by an external consultant engaged for this purpose in 2007 in respect of the Department's main premises at 25 Clare Street, 44 Kildare Street, Frederick Buildings (South Frederick Street) and 59 Dawson Street, Dublin 2. These buildings house the great majority of the Department's staff. A number of minor issues arose from these tests and appropriate remedial action was taken. Records of this programme are retained.

It is planned to test portable equipment in remaining Department premises later this year and in the event of any safety issues arising remedial action will again be taken to eliminate any safety concerns. In so far as agencies under the aegis of my Department is concerned, this is a matter for direct attention by the agencies themselves.

Road Network.

297. **Deputy Joanna Tuffy** asked the Minister for Transport the Department to whom responsibility for keeping roads passable lies in the event of adverse weather conditions; the Minister in overall charge; the person who has authority to call on the assistance of the Army; if the National Roads Authority is responsible for providing and spreading gritting materials on national primary roads; his views on whether one authority should take responsibility for all roads here in the event of a major weather emergency; and if he will make a statement on the matter. [2459/10]

Minister for Transport (Deputy Noel Dempsey): Local authorities have statutory responsibility for the maintenance of all public roads under section 13 of the Roads Act 1993 and this includes winter maintenance. Funding for winter maintenance of national roads is allocated to local authorities by the National Roads Authority (NRA). I provide grants in respect of regional and local roads to supplement local authorities' own resources. These allocations are

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inclusive of a weather risk factor and local authorities are expressly advised to set aside contingency sums to finance weather related works.

My Department has commenced a review of the transport aspects of the recent severe weather and that will include consideration of whether there should be any organisational changes of the type referred to by the Deputy. During the recent severe weather the Defence Forces were available on request to assist local authorities. While the priority was to provide assistance for emergencies the Defence Forces were available to assist in other ways including with transport and personnel. Under the Strategic Emergency Planning Guidance the Department of the Environment, Heritage and Local Government has the lead role in co-ordinating the national response to severe weather and my Department has a major support role in relation to the transport-related aspects of that response.

Rail Network.

298. **Deputy Emmet Stagg** asked the Minister for Transport the cost to date of the Kildare route project; and the expected expenditure to complete the project in full. [6625/10]

Minister for Transport (Deputy Noel Dempsey): Since 1 December 2009, this is a matter which comes under the remit of the National Transport Authority (NTA). The Oireachtas Liaison Officer for the NTA is Mr. Matt Benville, The National Transport Authority, 59 Dawson Street, Dublin 2.

Rural Transport.

299. **Deputy Thomas P. Broughan** asked the Minister for Transport if he has been briefed by Bus Éireann on the recently announced programme of cutbacks to routes and services; if his attention has been drawn to the cancellation of the morning Bus Éireann service from Carrigans via St. Johnston and Raphoe in County Donegal which affects many communities in east Donegal; the steps he is taking to address the problem of the public transport gap in rural communities; and if he will make a statement on the matter. [6738/10]

Minister for Transport (Deputy Noel Dempsey): I have been briefed on the measures being taken by Bus Eireann to ensure its financial viability. Decisions in relation to individual services are matters for the company with the approval, where necessary in the case of subvented services, of the National Transport Authority.

Shipping Services.

300. **Deputy Bernard J. Durkan** asked the Minister for Transport the degree to which he will encourage and develop sea transport with reference to the development of the ports and harbours, roll-on roll-off services and increased frequency and location of ferry services; and if he will make a statement on the matter. [6806/10]

Minister for Transport (Deputy Noel Dempsey): As Minister for Transport I feel it is important that the market offers a diverse range of viable maritime links in and out of the State. This is vital to facilitate trade and tourism. Ireland has one of the most extensive short sea networks in Europe with multiple operators and various alternative modes of shipping available. Our roll-on roll-off and ferry services between Ireland and the UK are amongst the most frequently served services in Europe. Any new services must be market driven. Over the past decade we have seen a 68% increase in the amount of freight capacity services serving the Ireland to UK and European markets.

Ireland is well served by ferry links to the UK and continental Europe. These links are frequent and competitive. The services can be viewed on an interactive map on the website of the Irish Maritime Development Office (*www.imdo.ie*). The Irish Government encourages intra and inter port competition for ferry services which has been facilitated by the infrastructural and capacity developments at our ports. Shipping operates in a highly liberalised global market environment, which has enhanced competition on the key Irish routes. The ongoing development of our shipping network has provided the Irish market with more competition, choice and frequency in accessing the global market place.

My Department through its agency the Irish Maritime Development Office (IMDO) continues to support and assist Irish and foreign owners establish new shipping services, providing them with expert market intelligence and analysis.

Rail Services.

301. **Deputy Bernard J. Durkan** asked the Minister for Transport the intended investment and expenditure on the expansion of all sections of the rail service, current and proposed, in the next three years; and if he will make a statement on the matter. [6807/10]

Minister for Transport (Deputy Noel Dempsey): Since 1 December 2009, rail investment in the Greater Dublin Area (GDA) is a matter which comes under the remit of the National Transport Authority (NTA). In regard to rail investment outside the GDA, we have made clear in our renewed programme for Government that we remain committed to the provision of a safe and efficient network of rail services. A major focus of rail investment in the coming years will be continued investment in the safety of the rail network through the Third Railway Safety Programme, 2009-2013, and I am pleased to say that I have been able to allocate €96 million to this programme in 2010.

In general, given the current difficult funding environment, it will not be possible to progress all the projects in Transport 21 in accordance with the ambitious timescale envisioned at its launch. I am committed however to maintain investment to the maximum amount possible, and to progress planning where possible so that we are in a position to move swiftly to construction as and when funding becomes available. This applies in particular to phases 2 and 3 of the Western Rail Corridor, and to the second phase of the Cork commuter rail project, on the Cork-Mallow line.

Road Safety.

302. **Deputy Bernard J. Durkan** asked the Minister for Transport the number of road accident blackspots currently publicly identified on the various road networks throughout the country; if requests have been received for funding to address this issue from either the National Roads Authority or the local authorities as appropriate; and if he will make a statement on the matter. [6808/10]

303. **Deputy Bernard J. Durkan** asked the Minister for Transport if, from his Department's Vote, head or subhead, it might be appropriate to allocate funding to the National Roads Authority or the local authorities for the specific purpose of addressing road accident blackspots throughout the country; the extent to which funding has been requested for that purpose in the past; the degree to which he will respond in the future having regard to the public comment on the issue. [6809/10]

Minister for Transport (Deputy Noel Dempsey): I propose to take Questions 302 and 303 together.

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The construction, improvement and maintenance of individual national road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. I understand that the NRA each year provides funds for safety related works on national roads. The selection and prioritisation of projects to be funded is a matter for the NRA in conjunction with the relevant the local authority.

The improvement and maintenance of regional and local roads is a statutory function of each road authority in accordance with the provisions of section 13 of the Roads Act 1993. The carrying out of works on these roads is a matter for the relevant local authority to be funded from its own resources supplemented by State road grants. The initial selection and prioritisation of projects to be funded is also a matter for the local authority.

Since 2000, road grants have been paid from my Department's regional and local road grant allocations to local authorities under the Low Cost Safety Improvement Works Scheme for regional and local roads. Funding is allocated to locations which show possible contributory factors or accident patterns which may respond to low cost road improvements. In 2009, grants totalling €5.86 million were paid under the scheme to local authorities. I will announce the 2010 regional and local road grant allocations shortly.

Air Services.

304. **Deputy Bernard J. Durkan** asked the Minister for Transport the extent to which airport charges here compare with the charges in other airports at similar locations throughout Europe; and if he will make a statement on the matter. [6810/10]

Minister for Transport (Deputy Noel Dempsey): As I have previously informed the Deputy, the Commission for Aviation Regulation (CAR) regulates airport charges levied at Dublin Airport. Charges at Cork and Shannon are set by the airport authority. Passenger charges levied at the six regional airports, which are owned and operated independently, are a matter for each airport concerned. In relation to comparable charges at other European Airports, I have been informed by the Dublin Airport Authority (DAA) that independent research indicates that charges at Dublin are towards the lower end of a broad comparison group of the top airports in Europe. I also understand from the DAA that charges at Cork and Shannon also compare favourably with European benchmarks.

Transport 21.

305. **Deputy Bernard J. Durkan** asked the Minister for Transport the extent to which the Transport 21 proposals previously announced by him have been affected or are expected to be affected by the revised programme for Government; the way this compares with the previously announced programme for Government; and if he will make a statement on the matter. [6811/10]

Minister for Transport (Deputy Noel Dempsey): In Transport 21, the Government identified the programmes and projects in the national roads, public transport and regional airports sectors that it wished to see prioritised for implementation in the ten-year period from 2006 to 2015 within an overall capital provision of €34 billion. These projects and programmes can be found on the Transport 21 website (www.transport21.ie). However, in the light of the changed economic circumstances, it has been necessary to review investment priorities across all Government Departments. The results of this review are reflected in the Renewed Programme for Government and my Department's Transport 21 priorities for the coming years are as follows:

- for national roads, the priorities are:
 - the completion by end 2010 of the five major inter-urban motorways and the M50 upgrade
 - the progression of the Atlantic Road Corridor.
- for public transport, the priority is to deliver significantly increased long term capacity to the network through:
 - the construction of Metro North
 - the construction of DART Underground and the implementation of the associated electrification, signalling and rolling stock investments
 - investment in buses, bus priority and real time passenger information, subject to the implementation of the recent cost efficiency reviews and the availability of subvention
- it is important that we continue planning other projects to enable their earliest possible delivery when the economic situation improves.

These priorities for investment are set out in the Renewed Programme for Government.

It is unlikely that all of the projects originally identified in Transport 21 will be completed by 2015. However, no projects have been cancelled and Transport 21 continues to provide the strategic framework for capital spending on transport infrastructure into the future.

Road Safety.

306. **Deputy Bernard J. Durkan** asked the Minister for Transport the way he envisages the recently announced 30 km/h speed limit for certain parts of Dublin city affecting transport costs if replicated throughout the country in the future; and if he will make a statement on the matter. [6813/10]

Minister for Transport (Deputy Noel Dempsey): Statutory responsibility for the application of special speed limits through the making of special speed limit bye-laws is vested in the elected members of county councils and city councils. In setting a special speed limit a local authority must assess various factors with the primary focus being on road safety. It is, quite appropriately, a matter for the local authority to assess the various local factors at play in setting a special speed limit including any potential transport costs.

Departmental Expenditure.

307. **Deputy Bernard J. Durkan** asked the Minister for Transport his proposals for investment in each segment of the transport sector over the next three years; and if he will make a statement on the matter. [6814/10]

Minister for Transport (Deputy Noel Dempsey): Transport 21 continues to provide the strategic framework for capital spending on transport infrastructure in the areas of national roads, public transport, and regional airports into the future. However, in the light of the changed economic circumstances, it has been necessary to review investment priorities across all Government Departments. The results of this review are reflected in the Renewed Programme for Government and in my Department's transport priorities for the coming years which are as follows:

[Deputy Noel Dempsey.]

Roads

My Department's priorities for national roads are the completion of the major inter-urban network and the M50 upgrade by end 2010 and the progression of the Atlantic Road Corridor. The priority for regional and local roads will be to maintain the current level of funding and to focus that expenditure on protecting existing investment on these roads.

Public Transport

In addition to completing a number of important projects which are already underway, the priority for public transport is to deliver significantly increased long term capacity to the network through:

- the construction of Metro North;
- the construction of Dart Underground and the implementation of the associated electrification, signalling and rolling stock investments;
- investment in buses, bus priority and real time passenger information, subject to the implementation of the recent cost efficiency reviews and the availability of subvention.

Airports

State airport investment is funded by the Dublin Airport Authority without recourse to the Exchequer. The priority for Exchequer investment in regional airports is the completion of existing contractual commitments.

Sustainable Travel

The priority for sustainable travel is the completion of a number of projects that are currently under construction. Further projects will be started in 2010. In particular, schemes will be selected from the Smarter Travel Demonstration Areas Fund and the Smarter Travel Demonstration Projects Fund competitions. Details of these will be available on www.smartertravel.ie as progress is made.

Maritime Transport

Government ports policy states that the commercial port companies should fund capital investment projects from their own resources without recourse to the Exchequer. However the Department will continue to fund remedial works at regional harbours.

Planning

We will also continue planning other investment projects across the sector to enable their earliest possible delivery when the economic situation improves.

308. **Deputy Bernard J. Durkan** asked the Minister for Transport if moneys from the Vote for his Department under any heading or subheading has been allocated or awarded to any body, group or agency including the National Roads Authority or Kildare County Council; if mention was made to address the urgent need for road restoration following the recent weather conditions; and if he will make a statement on the matter. [6815/10]

Minister for Transport (Deputy Noel Dempsey): I assume that the Deputy is referring to grant allocations made in respect of roads. The 2010 allocations for national roads were announced on 1st February 2010, the details of which are set out in the National Roads Authority document entitled: “Grant Allocations to local authorities for National Roads — 2010”, a copy of which I recently had placed in the Oireachtas Library. Included in that document is a detailed breakdown of the allocations made to each local authority, including Kildare County Council, to fund both the improvement and the maintenance of national roads during the year. I will shortly announce the 2010 regional and local road grant allocations.

Road Safety.

309. **Deputy Enda Kenny** asked the Minister for Transport if he has received a set of recommendations from Mayo County Council in respect of changes to the speed limit that apply in the county; when this proposal will be acted upon; and if he will make a statement on the matter. [6950/10]

Minister for Transport (Deputy Noel Dempsey): I have not received recommendations from Mayo County Council in respect of changes to the speed limits that apply in that county. Statutory responsibility for the application of special speed limits through the making of special speed limit bye-laws is vested in the elected members of county councils and city councils.

Question No. 310 answered with Question No. 293.

Search and Rescue Service.

311. **Deputy John O’Donoghue** asked the Minister for Transport if the second factory acceptance test on equipment for marine rescue in respect of an area (details supplied) in County Kerry which was due to start in early December 2009 has in fact commenced; if the said equipment which was expected prior to the end of December 2009 has been delivered; and when work will commence on the adaptation of this building. [6960/10]

Minister for Transport (Deputy Noel Dempsey): The second factory acceptance test on all the Integrated Communications System (ICS) equipment was successfully completed in November 2009. The equipment for Valentia currently resides in the main Coast Guard Stores in Dublin. My Department is awaiting a report on the scale and cost of the works required at Malin Head and Valentia. This report will determine the order in which the work will be done. I will review the matter in the second quarter of 2010 with an intention that, subject to funding, work will commence on at least one of the Rescue Coordination Centres this year.

Child Support Payments.

312. **Deputy Catherine Byrne** asked the Minister for Justice, Equality and Law Reform the position regarding child maintenance and arrears outstanding; if he is committed to ensuring that maintenance payments are made when due; and if he will make a statement on the matter. [6380/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I refer the Deputy to the reply to her Question No 369 on 2nd February 2010.

Parental Leave.

313. **Deputy Emmet Stagg** asked the Minister for Justice, Equality and Law Reform his views on the issue of paternity leave; and if he has had discussions with the Department of Social and Family Affairs on the issue. [6772/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): My Department, in consultation with the social partners, is examining the issue of paternity leave as part of a review of maternity, parental and paternity leave as promised in the Agreed Programme for Government and the Social Partnership agreement “Towards 2016”. I can confirm that officials from my Department have had discussions on the matter with the Department of Social and Family Affairs.

The issue of the introduction of a statutory entitlement to paternity leave was examined before, in 2002, by a working group made up of representatives of the social partners and relevant State bodies, as part of the review of the Parental Leave Act 1998. The working group could not reach a consensus on the issue. The possibility of introducing an entitlement to paternity leave has recently been raised at EU level at the European Parliament in the context of a review of maternity leave entitlements. My Department continues to examine the issue of maternity, parental and paternity leave, taking into account also developments at EU level.

Registration of Title.

314. **Deputy Michael D. Higgins** asked the Minister for Justice, Equality and Law Reform the position regarding the Property Registration Authority’s move towards the e-conveyancing of land certificates, specifically pertaining to documents that have been saved and the location at which they are being kept; and if he will make a statement on the matter. [6955/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I would like to refer the Deputy to my reply to Question No. 366 of 2 February, 2010 which sets out the position in relation to this matter.

Residency Permits.

315. **Deputy Willie Penrose** asked the Minister for Justice, Equality and Law Reform when an application in respect of a person (details supplied) in County Westmeath for review of a decision, in respect of the refusal to grant them the appropriate rights pursuant to the EU Charter of Fundamental Rights, will be heard; if same will be expedited; and if he will make a statement on the matter. [6075/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I am informed by the Immigration Division of my Department that the person concerned made an application for residence in the State based on his marriage to a British national on 30 January 2009. The person referred to by the Deputy was informed of the decision to refuse his application on 7 July 2009. A request by the applicant and his spouse for a review of this decision was received on 8 September 2009. All applications for review are dealt with in chronological order of date of receipt and the decision to refuse this application remains under review.

Asylum Applications.

316. **Deputy Finian McGrath** asked the Minister for Justice, Equality and Law Reform if he will support the case of a person (details supplied). [6122/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The persons concerned, a mother and two children, arrived in the State in late 2007 and formally applied for asylum on 27 November 2007. The two children were included as dependants in the mother’s asylum application meaning that any decision made in relation to her case applied equally to the children. The asylum application was refused following the consideration of the application by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee Appeals

Tribunal. A third child was born in the State in early 2008 and this child's application was also refused following consideration of her case by the Office of the Refugee Applications Commissioner and on appeal, the Refugee Appeals Tribunal.

Arising from the refusal of the asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999, the persons concerned were informed, by letter dated 6 March 2009, that the Minister proposed to make Deportation Orders in respect of them. They were given the options, to be exercised within a period of 15 working days, of leaving the State voluntarily, of consenting to deportation or of submitting written representations to the Minister setting out the reasons why Deportation Orders should not be made against them. They were also notified of their entitlement to apply for Subsidiary Protection in the State in accordance with the provisions of the European Communities (Eligibility for Protection) Regulations 2006. The persons concerned submitted an application for Subsidiary Protection and also submitted representations pursuant to Section 3 of the Immigration Act 1999. The application for Subsidiary Protection was examined following which a decision was taken to refuse the application. This decision was communicated to the persons concerned by letter dated 20 May 2009.

The case of the persons concerned was then examined under Section 3(6) of the Immigration Act 1999 and Section 5 of the Refugee Act 1996 on the prohibition of refoulement. Consideration was given to all representations submitted by and on behalf of the persons concerned and due regard was had for all national and international jurisprudence in terms of the humanitarian aspects of this case. On 27 May 2009 Deportation Orders were signed in respect of the persons concerned.

Section 3(11) of the Immigration Act 1999 (as amended) provides the Minister with powers to amend or revoke a Deportation Order. An application to revoke the Orders in respect of this family was made by its legal representatives on 1 February 2010. For such an application to be successful it would need to set out new facts or circumstances which have arisen and which were not capable of being advanced at the time the decision to deport was made. This application will be considered as soon as possible and a decision will be taken to either affirm or revoke the Orders based on all the information at my disposal. Once such a decision has been made, this decision, and the consequences of the decision, will be conveyed in writing to the persons concerned.

Departmental Procurement.

317. **Deputy Joe McHugh** asked the Minister for Justice, Equality and Law Reform the companies that have been granted contracts for projects worth more than €10 million in the period 2000 to 2010. [6150/10]

336. **Deputy Joe McHugh** asked the Minister for Justice, Equality and Law Reform the companies that have been granted contracts for projects worth more than €15 million in the period 2000 to date in 2010. [6322/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I propose to take Questions Nos. 317 and 336 together.

I am not in a position to provide the information sought by the Deputy at this time, but will do so as soon as the information is available.

Garda Strength.

318. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the

[Deputy Joe Costello.]

number of promotional posts within the Garda Síochána that remain unfilled because of budgetary cutbacks; the number of such posts that have been filled but remain unpaid; and if he will make a statement on the matter. [6154/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): As of 31st December 2009 the strength of the force was 14,547 with an additional 232 students in training. While some 700 members of the force retired in 2009 over 900 students were attested as sworn members in the same period. The Deputy will be aware that I recently secured sanction from the Minister for Finance for a significant derogation from the moratorium on recruitment and appointments in the public service. As a result of this some 170 positions will be filled in An Garda Síochána in the very near future. The Commissioner is in the process of organising competitions from which successful candidates will be promoted to fill vacancies throughout the force and it is expected that this process will be completed as soon as is practicable.

Garda Deployment.

319. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the number of Garda officers who are community gardaí; the percentage of the force that are community gardaí; if he will establish a promotional path for community gardaí within An Garda Síochána; and if he will make a statement on the matter. [6156/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): Policing in local communities, either rural or urban, is a matter for all Gardaí and not just those assigned to the roles of community policing. It is worth noting, however, that the number of Gardaí exclusively assigned to community policing has increased considerably in recent times. The figures available at the end of 2009 show that there are 1,058 members of the Garda Síochána specifically assigned to community policing, out of a total attested strength of 14,547. By comparison, at the end of 2007, 630 members were assigned to community policing, and the present number represents an increase of almost 68% on that figure. Personnel attached to Community Policing are eligible to go forward for promotion through a competitive process which is regulated by the terms of the Garda Síochána (Promotion) Regulations (Statutory Instrument No 485 of 2006). There is no provision for a special promotion system for Community Gardaí.

Registration of Title.

320. **Deputy Paul Connaughton** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to the fact that important information is being lost as a result of the shredding of documents as a result of the Property Registration Authority's move towards e-conveyancing; if his further attention has been drawn to the fact that such documents are of enormous benefit to persons wishing to research their family tree; and if he will make a statement on the matter. [6162/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I take it that the Deputy is referring to a newspaper article which appeared in the "*Irish Times*" on 23 December, 2009. I would like to refer the Deputy to my reply to Question No. 366 of 2 February, 2010 which sets out the position in relation to this matter.

Visa Applications.

321. **Deputy Paul Connaughton** asked the Minister for Justice, Equality and Law Reform when a decision will be given on an application for a visa in respect of a person (details supplied); and if he will make a statement on the matter. [6163/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. The information sought by the Deputy will be provided at a later date.

Consultancy Contracts.

322. **Deputy Damien English** asked the Minister for Justice, Equality and Law Reform the number of external consultants currently working for or in his Department; the work they are carrying out; and if he will make a statement on the matter. [6204/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I am not in a position to provide the information sought by the Deputy at this time, but will do so as soon as the information is available.

Garda Deployment.

323. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform the criteria that determine the allocation of community gardaí to an area; if it is as a percentage of population, the number of gardaí attached to a station or the status of the station; and if he will make a statement on the matter. [6223/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The allocation of Garda resources, including the distribution of personnel, is a matter for the Garda Commissioner and senior Garda management. They are aided in this by a distribution model which indicates the most effective means of distributing Garda personnel and acts as a guide to Garda management decision making. It takes into account different policing variables, including crime trends, socioeconomic factors, and census information.

Policing in local communities, either rural or urban, is a matter for all Gardaí and not just those assigned to the role of community policing. It is worth noting, however, that the number of Gardaí exclusively assigned to community policing has increased considerably in recent times. The figures available at the end of 2009 show that there are 1,058 members of the Garda Síochána specifically assigned to community policing, out of a total attested strength of 14,547. By comparison, at the end of 2007, 630 members were assigned to community policing, and the present number represents an increase of almost 68% on that figure.

All members who are assigned to community policing operate on a full-time basis. These members are specifically tasked with the duty of liaising with communities within their policing Districts. The new Garda Síochána National Model of Community Policing was launched early in 2009. This new model is about renewing, re-invigorating and re-structuring the community policing function within the Garda Síochána to deliver a consistent national structure to the community policing function; a more coordinated and efficient Garda service to the community; and the spread of good practices and quality service in community policing on a national basis. The national strategies for Neighbourhood Watch and Community Alert, both of which were launched in 2007, will also inform the organisation on how best to implement future crime prevention programmes and community policing programmes.

A National Community Policing Office has been established within Garda Community Relations Section to develop and oversee the implementation programme. The model is being rolled out nationwide in line with an action plan which has been developed for implementation. Training is ongoing and it is intended that every District Officer throughout the country will take ownership of community policing within his or her area of responsibility. The Garda Síochána National Model of Community Policing Report is available on the Garda website www.garda.ie.

324. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform the number of community gardaí attached to the new Kildare division of An Garda Síochána; the stations that they are attached to; and if he will make a statement on the matter. [6231/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

325. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform if he is satisfied that gardaí will provide proper services to a town (details supplied) in County Kildare in view of the fact that the Garda complement of numbers as allocated for the specific area is short a sergeant and five gardaí due to retirements, promotions, transfers and so on; if the embargo will be lifted to provide the replacements to ensure a full complement of staff for the area to overcome the undue stress that is being placed on the present staff due to such shortages; and if he will make a statement on the matter. [6238/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The allocation of Garda resources, including the distribution of personnel, is a matter for the Garda Commissioner and senior Garda management. They are aided in this by a distribution model which indicates the most effective means of distributing Garda personnel and acts as a guide to Garda management decision making. It takes into account different policing variables, including crime trends, socioeconomic factors, and census information.

The Deputy will be aware that I recently secured sanction from the Minister for Finance for a significant derogation from the moratorium on recruitment and appointments in the public service. The Commissioner is in the process of organising competitions from which successful candidates will be promoted to fill vacancies in the force and it is expected that this will be completed as soon as is practicable. In relation to the specific issue raised by the Deputy, this will be taken into account by Garda Management when they are considering the distribution of resources in the area in question.

Closed Circuit Television Systems.

326. **Deputy Jack Wall** asked the Minister for Justice, Equality and Law Reform if a local authority (details supplied) has made an application for funding to his Department regarding the provision of closed circuit television for a town within its area; and if he will make a statement on the matter. [6239/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret that the specific information requested in relation to the local authority referred to by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

Social Welfare Benefits.

327. **Deputy Joe McHugh** asked the Minister for Justice, Equality and Law Reform if his attention has been drawn to individuals to whom bench warrants have been issued and are still outstanding who continue to claim social welfare; and if he will make a statement on the matter. [6267/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The matter referred to by the Deputy has not been brought to my attention. I will revert to the Deputy when relevant information becomes available.

Garda Strength.

328. **Deputy Paul Connaughton** asked the Minister for Justice, Equality and Law Reform the number of garda retirements in every rank in the new Galway Garda division in 2008 and 2009; and if he will make a statement on the matter. [6278/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

Visa Applications.

329. **Deputy Damien English** asked the Minister for Justice, Equality and Law Reform the position regarding a visa application in respect of a person (details supplied) in County Meath. [6279/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret to advise the Deputy that it is not possible to provide a response to his question at this time. The information sought by the Deputy will be provided at a later date.

Citizenship Applications.

330. **Deputy Willie Penrose** asked the Minister for Justice, Equality and Law Reform if he will expedite an application for naturalisation in respect of a person (details supplied) in County Westmeath; and if he will make a statement on the matter. [6281/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

331. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform when an application for citizenship will be concluded in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [6285/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

332. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the progress of an application for citizenship in the case of a person (details supplied) in County Cork; when the process will be concluded; and if he will make a statement on the matter. [6286/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

Residency Permits.

333. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the residency status in the case of a person (details supplied) in County Laois; and if he will make a statement on the matter. [6289/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. The information sought by the Deputy will be provided at a later date.

334. **Deputy Ciarán Lynch** asked the Minister for Justice, Equality and Law Reform when a decision will issue in the case of a person (details supplied) in Cork who is awaiting subsidiary protection and leave to remain; and if he will make a statement on the matter. [6292/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. The information sought by the Deputy will be provided at a later date.

Garda Security Escorts.

335. **Deputy Terence Flanagan** asked the Minister for Justice, Equality and Law Reform the cost to the Exchequer of cash in transit escorts for security companies over the past five years; the changes he has recently made; and if he will make a statement on the matter. [6299/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The situation with regard to cash escorts and the recovery of costs from the banking industry has developed over the last few years from a situation whereby the banks made a flat contribution, regardless of costs, to the situation that currently obtains, whereby an agreed formula is used to calculate the costs incurred by the State and a mechanism employed which secures close to full recovery of these costs from the banking industry. In 2005 the costs incurred by the Garda Síochána in respect of cash escorts were in the order of €6.1 million. The flat contribution made by the banking industry to these costs was €4.25 million (this amount was paid in 2006 — the banks' contribution to the costs of one year is paid in arrears the following year). The net cost to the exchequer in respect of cash escorts in 2005 was therefore in the order of €1.85 million.

In respect of the costs of cash escorts incurred in 2006 onwards, these are dealt with by the Memorandum of Understanding (MoU) signed by the then Minister for Justice, Equality and Law Reform in May 2007. This MoU allows for the recovery of the costs of cash escorts from the banks. The costs are calculated using a formula which takes into account a number of factors including pay and allowances, subsistence, overtime, fuel and transport costs. The total arrived at is then discounted by 10%. This discount was agreed on the basis that the Government has always taken the view that there is a public interest issue in relation to the secure movement of cash. In addition, the decision to provide an escort is made by the Gardaí on an operational basis, not at the request of the banks and the discount acknowledges this.

The amounts received from the banking industry since the MoU was signed, in respect of the banks' contribution to the costs of Garda cash escorts, as calculated using the formula described above, are listed below:

- 2006 — €4,997,126;
- 2007 — €4,881,265;
- 2008 — €4,823,000.

Please note that, as with the 2005 figure of €4.25 million, these payments were all received in the following year to that in which the costs were incurred. The figure for 2009 is not yet available.

Question No. 336 answered with Question No. 317.

Work Permits.

337. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform if he will assist a person (details supplied) in Dublin 15 to regain their Garda national immigration bureau stamp four; and if he will make a statement on the matter. [6327/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. The information sought by the Deputy will be provided at a later date.

Prison Staff.

338. **Deputy Dan Neville** asked the Minister for Justice, Equality and Law Reform the position regarding the case of a person (details supplied) in County Limerick. [6342/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): It has not been possible to ascertain the position on this issue in the time available for reply. The information will be forwarded to the Deputy as soon as possible.

339. **Deputy Dan Neville** asked the Minister for Justice, Equality and Law Reform the number of prison officers appointed to the Prison Service in 2009; the number of prison officers in Portlaoise Prison; the number who were appointed to Portlaoise Prison in 2009; and if he will make a statement on the matter. [6346/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): It has not been possible to provide the information required in the time available for reply. The information will be forwarded to the Deputy as soon as possible.

Criminal Assets Bureau.

340. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the amount of money the operations of the Criminal Assets Bureau cost annually since its foundation. [6353/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. The information sought by the Deputy will be provided at a later date.

341. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the amount of moneys and the value of assets seized by the Criminal Asset Bureau annually; and the amount of money that have been returned to the Exchequer annually since its inception. [6354/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The Criminal Assets Bureau, pursuant to its statutory remit, has pursued the proceeds of crime by using powers granted under the relevant Proceeds of Crime legislation and provisions under the Revenue and Finance Acts, and legislation and regulations under the Department of Social & Family Affairs. The following tables show the monies and estimated value of assets seized under each of the relevant headings from 1996 to 2008. The figures for 2009 are currently being compiled.

[Deputy Dermot Ahern.]

Table 1

	Section 2 Interim Orders	Section 3 Interlocutory Orders	Section 4 and 4A	Section 16(b)
1996	£2,101,000.00	£2,048,000.00		
1997	£2,334,680.00	£1,496,180.00		
1998	£1,682,544.65	£1,091,412.62		
1999	£1,500,000.00	£813,659.00		
2000	£838,536.00	£1,641,215.00		
	Stg£52,230.00			
2001	£1,872,654.72 (€2,377,781.00)	£1,342,951.10 (€1,705,196.15)		
	Stg£491,114.09	Stg£279,635.70		
Total 1996-2001	IR£10,329,415.37	IR£8,433,417.72	—	
<i>Euro Equivalent</i>	€13,115,652.02	€10,708,231.61	—	
2002	€3,709,086.00 Stg£17,802,004.00 US\$ 5,558,377.00	€2,504,669.00 Stg£1,993,094.00 US\$ 5,247,821.00		
2003	€3,045,842.00 Stg£12,150.00	€71,699.00 Stg£557,070.00		
2004	€1,027,152.18 Stg£6,115	€1,688,651.63 Stg£375.00	€275,875.43	
2005	€5,860,335.00 US\$314,619.54	€1,200,525.57 Stg£26,760 US\$130,000	€2,002,738.41	
2006	€2,836,479.97 Stg£294,289.39	€726,350.94	€2,459,864.79	€53,000,000
2007	€9,804,193.14 Stg30,690.00	€9,848,432.84	€1,435,340.59	
2008	€5,022,050.89 Stg4,860.00	€2,501,802.57 Stg150,314.76	€2,802,460.37	
Totals 1996-2007	€44,420,791.20	€29,250,363.16	€8,976,279.59	€53,000,000
	Stg£18,693,452.48 US\$5,872,996.54	Stg£3,007,249.46 US\$5,377,821.00		

Table 2: Taxes and Interest

Year Ending	Taxes Assessed	Taxes & Interest Demanded	Taxes Collected
31/12/1996	£3,151,893.00	£3,443,998.00	£0.00
31/12/1997	£6,258,169.00	£5,210,687.00	£198,230.00
31/12/1998	£6,544,047.00	£10,794,598.00	£621,749.00
31/12/1999	£7,853,356.00	£13,454,013.00	£2,361,280.00
31/12/2000	£9,935,088.00	£4,858,216.00	£6,769,218.00
31/12/2001	£14,678,657.00	£6,571,986.00	£18,556,321.00
Total 1996-2001 Irish Punts	£48,421,210.00	£44,333,498.00	£28,506,798.00
<i>Euro Equivalent</i>	€61,482,254.14	€56,291,930.00	€36,196,166.00

Year Ending	Taxes Assessed	Taxes & Interest Demanded	Taxes Collected
31/12/2002	€9,954,554.00	€12,830,763.00	€10,003,816.00
31/12/2003	€7,405,114.00	€7,198,272.00	€9,991,022.00
31/12/2004	€5,519,473.75	€5,497,448.58	€16,408,649.08
31/12/2005	€14,078,811.95	€4,888,817.85	€16,376,598.71
31/12/2006	€13,720,476.72	€16,473,749.55	€19,192,906.56
31/12/2007	€18,370,867.10	€19,130,179.43	€10,009,459.27
31/12/2008	€23,435,212.28	€13,922,430.83	€5,891,624.85
Total	€153,966,763.94	€136,233,591.24	€124,070,242.47

Table 3: Social Welfare Statistics

Year	Overpayments Assessed	Savings	Sums Recovered
1996	£33,234.75	£0.00	
1997	£185,769.30	£233,618.64	
1998	£281,072.63	£221,474.00	
1999	£327,755.00	£268,974.00	
2000	£0.00	£108,011.30	
2001	£249,976.00	£151,845.00	€166,279.82
Total 1996-2001 Irish Punts	£1,077,807.68	£983,922.94	
<i>Euro equivalent</i>	€1,368,533.45	€1,249,324.42	
2002	€350,347.00	€155,481.00	€51,909.36
2003	€518,885.00	€109,654.00	€199,702.77
2004	€262,048.84	€222,921.40	€273,073.61
2005	€338,296.00	€216,054.00	€293,948.00
2006	€439,703.77	€297,743.80	€139,524.42
2007	€531,957.71	€550,976.80	€136,623.59
2008	€358,725.63	€712,615.60	€182,198.30
Total	€4,168,497.40	€3,514,771.02	€1,443,259.87

The amounts of moneys returned to the exchequer under the Proceeds of Crime Act are listed as follows:

Year	€
Total for 2003	82,437.32
Total for 2004	341,023.95
Total for 2005	2,008,938.41
Total for 2006	2,970,589.51
Total for 2007	254,651.94
Total for 2008	6,129,313.63

342. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the value of assets and moneys currently held by the Criminal Assets Bureau or awaiting court orders allowing disposal of properties; the amount of money expected to be transferred to the Exchequer from the CAB in 2010 and into the near future. [6355/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The Criminal Assets Bureau, pursuant to its statutory remit, has pursued the proceeds of crime by using powers granted under the relevant Proceeds of Crime legislation and provisions under the Revenue and Finance Acts, and legislation and regulations under the Department of Social & Family Affairs. Monies collected under the provisions of the relevant revenue and Social Welfare legislation are returned to their respective Departments with other monies being returned to the Exchequer.

It is not possible to predict the amount of monies which will be transferred to the Exchequer during 2010 until an Order has been perfected by the High Court or money has been collected under the Taxes or Social Welfare Acts. The following table shows the monies and estimated value of assets seized under each of the relevant headings from 1996 to 2008. Figures for 2009 are currently being compiled.

Table 1

	Section 2 Interim Orders	Section 3 Interlocutory Orders	Section 4 and 4A	Section 16(b)
1996	£2,101,000.00	£2,048,000.00		
1997	£2,334,680.00	£1,496,180.00		
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1999	£1,500,000.00	£813,659.00		
2000	£838,536.00	£1,641,215.00		
	Stg£52,230.00			
2001	£1,872,654.72	£1,342,951.10		
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	Stg£ 491,114.09	Stg£ 279,635.70		
Total 1996-2001	IR£10,329,415.37	IR£8,433,417.72	—	
<i>Euro Equivalent</i>	€13,115,652.02	€10,708,231.61	—	
2002	€3,709,086.00	€2,504,669.00		
	Stg£17,802,004.00	Stg£1,993,094.00		
	US\$5,558,377.00	US\$5,247,821.00		
2003	€3,045,842.00	€71,699.00		
	Stg£12,150.00	Stg£557,070.00		
2004	€1,027,152.18	€1,688,651.63	€275,875.43	
	Stg£6,115	Stg£375.00		
2005	€5,860,335.00	€1,200,525.57	€2,002,738.41	
	US\$314,619.54	Stg£26,760		
		US\$130,000		
2006	€2,836,479.97	€726,350.94	€2,459,864.79	€53,000,000
	Stg£294,289.39			
2007	€9,804,193.14	€9,848,432.84	€1,435,340.59	
	Stg£30,690.00			
2008	€5,022,050.89	€2,501,802.57	€2,802,460.37	
	Stg£4,860.00	Stg£150,314.76		
Totals 1996-2008	€44,420,791.20	€29,250,363.16	€8,976,279.59	€53,000,000
	Stg£18,693,452.48	Stg£3,007,249.46		
	US\$5,872,996.54	US\$5,377,821.00		

Table 2: Taxes and Interest

Year Ending	Taxes Assessed	Taxes & Interest Demanded	Taxes Collected
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31/12/1998	£6,544,047.00	£10,794,598.00	£621,749.00
31/12/1999	£7,853,356.00	£13,454,013.00	£2,361,280.00
31/12/2000	£9,935,088.00	£4,858,216.00	£6,769,218.00
31/12/2001	£14,678,657.00	£6,571,986.00	£18,556,321.00
Total 1996-2001 Irish Punts	£48,421,210.00	£44,333,498.00	£28,506,798.00
€ Equivalent	€61,482,254.14	€56,291,930.00	€36,196,166.00
31/12/2002	€9,954,554.00	€12,830,763.00	€10,003,816.00
31/12/2003	€7,405,114.00	€7,198,272.00	€9,991,022.00
31/12/2004	€5,519,473.75	€5,497,448.58	€16,408,649.08
31/12/2005	€14,078,811.95	€4,888,817.85	€16,376,598.71
31/12/2006	€13,720,476.72	€16,473,749.55	€19,192,906.56
31/12/2007	€18,370,867.10	€19,130,179.43	€10,009,459.27
31/12/2008	€23,435,212.28	€13,922,430.83	€5,891,624.85
Total	€153,966,763.94	€136,233,591.24	€124,070,242.47

Table 3: Social Welfare Statistics

Year	Overpayments Assessed	Savings	Sums Recovered
1996	£33,234.75	£0.00	
1997	£185,769.30	£233,618.64	
1998	£281,072.63	£221,474.00	
1999	£327,755.00	£268,974.00	
2000	£0.00	£108,011.30	
2001	£249,976.00	£151,845.00	€166,279.82
Total 1996-2001 Irish Punts	£1,077,807.68	£983,922.94	
Euro equivalent	€1,368,533.45	€1,249,324.42	
2002	€350,347.00	€155,481.00	€51,909.36
2003	€518,885.00	€109,654.00	€199,702.77
2004	€262,048.84	€222,921.40	€273,073.61
2005	€338,296.00	€216,054.00	€293,948.00
2006	€439,703.77	€297,743.80	€139,524.42
2007	€531,957.71	€550,976.80	€136,623.59
2008	€358,725.63	€712,615.60	€182,198.30
Total	€4,168,497.40	€3,514,771.02	€1,443,259.87

Garda Deployment.

343. **Deputy Pat Breen** asked the Minister for Justice, Equality and Law Reform the number

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of vacant positions in all ranks in the Clare Garda division; his plans to fill these vacancies; and if he will make a statement on the matter. [6381/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

Prisoner Releases.

344. **Deputy Brian O'Shea** asked the Minister for Justice, Equality and Law Reform the number of prisoners sentenced to eight months imprisonment or under, that have been released on licence since 1 January 2009 and to date in 2010; the length of the sentence that has been served in each case; and if he will make a statement on the matter. [6391/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I wish to advise the Deputy that the gathering of all the detailed information requested would require a disproportionate and inordinate amount of staff time and effort and could not be justified in current circumstances where there are other significant demands on resources. I have been advised that on 5th February 2010 there were 613 prisoners in total serving sentences of definite duration on temporary release. The numbers of such prisoners on temporary release fluctuates on a daily basis and to date in the year 2010, the numbers have fluctuated between slightly above 500 to slightly above 600.

The Criminal Justice Act 1960 as amended by the Criminal Justice (Temporary Release of Prisoners) Act 2003 sets out the framework for the temporary release of prisoners. Prisoners may be granted temporary release to assess a person's ability to reintegrate into society, to prepare him or her for release, to assist the Gardaí, on grounds of health, on other humanitarian grounds, to ensure the good government of prison and to maintain good order and humane and just management of the prisons. All prisoners on temporary release are subject to conditions and are returned to prison if their behaviour gives rise to concern. Public safety is the paramount consideration in any decision on granting temporary release.

Asylum Applications.

345. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the longest waiting time to date for a final decision on an asylum application in the Department of Justice, Equality and Law Reform; and if he will make a statement on the matter. [6394/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. The information sought by the Deputy will be provided at a later date.

Health and Safety Regulations.

346. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if all the portable electrical equipment in his Department and subsidiary or grant aided companies such as the Courts Service of Ireland, An Garda Síochána, Irish Prison Service and so on, have portable appliance test certificates as required by the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007; if not, the reason for same; if his attention has been drawn to the fact that a PAT must be carried out on all moveable electrical equipment in offices, centres and so on, to ensure the safety and welfare of both employees and employers; if his further attention has been drawn to the fact that records of all such tests must be kept for at least five years to allow the Health and Safety Authority to carry out

random spot checks and that insurance companies and underwriters are already seeking proof of compliance prior to renewal of policies; and if he will make a statement on the matter. [6466/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): S.I. No. 299 of 2007 does not require the issue of a certificate for all portable electrical equipment but only for portable electrical which falls under section 81(1)(c)(i) and (ii). I can inform the Deputy that my Department uses competent qualified electricians to carry out appropriate maintenance on all electrical equipment.

Residency Permits.

347. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding an application for residency in the case of a person (details supplied) in County Waterford; and if he will make a statement on the matter. [6497/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. The information sought by the Deputy will be provided at a later date.

Services for People with Disabilities.

348. **Deputy David Stanton** asked the Minister for Justice, Equality and Law Reform if he has initiated a review of the national disability strategy; if so, the terms of reference of the review; the agency or person who is carrying out the review; when the review will be complete; and if he will make a statement on the matter. [6611/10]

Minister of State at the Department of Justice, Equality and Law Reform (Deputy John Moloney): I refer the Deputy to my reply to his Question No. 78 of 10 November 2009. I have nothing further to add to the details of that reply.

Departmental Agencies.

349. **Deputy Ciarán Lynch** asked the Minister for Justice, Equality and Law Reform the position regarding the national property services regulatory authority; the cost to date in 2010 and the ongoing costs of the NPSRA; the number of personnel employed; the expenditure on salaries and the location of their offices; the expenditure and the actual function of the NPSRA; and if he will make a statement on the matter. [6636/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I can inform the Deputy that the Auctioneering/Estate Agency Review Group recommended the establishment of the Property Services Regulatory Authority (PSRA) and that the Government decided that the Authority should be established on a statutory basis. The Property Services (Regulation) Bill 2009, which will give effect to this, is currently before the Houses of the Oireachtas awaiting Seanad Committee Stage. In the meantime, the PRSA continues to discharge appropriate functions on a non-statutory basis.

The main functions of the new Authority include:

- Establishing and administering a comprehensive licensing system covering all providers of property services, (i.e. Auctioneers, Estate Agents, Letting Agents and Property Management Agents — collectively known as Property Services Providers). This extended system will replace the current licensing system for Auctioneers and House Agents under the Auctioneers and House Agents Acts 1947 to 1973;

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- Setting and enforcing standards for grant of licences (e.g. educational/training standards; levels of professional indemnity insurance) as well as standards to be observed in the provision of property services by licensees;
- Establishing and administering a system of investigation and adjudication of complaints relating to the provision of property services, including imposition of sanctions as appropriate;
- Conducting audits and inspections of Property Services Providers as part of a general compliance and enforcement function;
- Developing and enforcing Codes of Practice;
- Promoting increased consumer protection and public awareness (where appropriate in liaison and cooperation with other statutory bodies and professional and consumer bodies) of property services in general and the cost to consumers, risks and benefits associated with the provision of those services;
- Producing guidance material for the industry and the public;
- Establishing, maintaining and administering a Compensation Fund to compensate parties who lose money as a direct consequence of the dishonesty of a licensee;
- Enforcing licensees obligations under the legislation through general investigations, inspections and court prosecutions;
- Liaison and cooperation with overseas Authorities;
- Acting as “State Competent Authority” for the purpose of Money Laundering legislation.

The PSRA is currently located in Abbey Buildings, Abbey Road, Navan, Co. Meath. In addition to its Chief Executive designate there are six full-time and two part-time staff. Expenditure by the Authority to date in 2010 is €38,715 (Pay: €36,089, Non-Pay: €2,626).

Services for People with Disabilities.

350. **Deputy David Stanton** asked the Minister for Justice, Equality and Law Reform, further to Parliamentary Question No. 54 of 10 December 2009, if the six departmental disability sectoral plan progress reports have been completed; the action taken as a result of the reports; when they will be laid before both Houses of the Oireachtas as per commitments in the Disability Act 2005; and if he will make a statement on the matter. [6629/10]

Minister of State at the Department of Justice, Equality and Law Reform (Deputy John Moloney): The reports on progress on implementation of the Sectoral Plans were laid before both Houses on 5 February 2010 following approval of them by the Government.

Residency Permits.

351. **Deputy Bernard Allen** asked the Minister for Justice, Equality and Law Reform when an application for family reunification will be decided upon in respect of a person (details supplied) in County Cork. [6695/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

European Courts.

352. **Deputy Alan Shatter** asked the Minister for Justice, Equality and Law Reform the consideration given to designating the European Court of Human Rights in Strasbourg and the European Court of Justice sitting in Luxembourg as prescribed bodies to which section 40(7)(b) of the Civil Liability and Courts Act 2004 apply and to ask that the aforesaid courts be so prescribed by an order of the Minister pursuant to the 2004 Act to ensure that no difficulty arises in the giving of information or evidence given in proceedings to which section 40 of the 2004 Act applies which result in a related hearing taking place in either of the aforementioned European courts. [6711/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): One designation only has been made by Order of the Minister for Justice, Equality and Law Reform under section 40(7) of the Civil Liability and Courts Act 2004 and no other designations are in contemplation at present. However, the operation of section 40 of the Act of 2004 continues to be reviewed by my Department.

Citizenship Applications.

353. **Deputy Michael Noonan** asked the Minister for Justice, Equality and Law Reform the progress that has been made on an application for naturalisation by persons (details supplied) in County Limerick; when he expects a decision to be made; and if he will make a statement on the matter. [6712/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

Garda Strength.

354. **Deputy Andrew Doyle** asked the Minister for Justice, Equality and Law Reform the number of Garda personnel, by grade, in County Wicklow that have applied to retire in 2009; and if he will make a statement on the matter. [6760/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

Garda Operations.

355. **Deputy Thomas P. Broughan** asked the Minister for Justice, Equality and Law Reform if the Garda Operation Feather is still active; if so the number of persons arrested and charged to date under this operation; the number of gardaí involved; the cost of the operation to date; and if he will make a statement on the matter. [6794/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. The information sought by the Deputy will be provided at a later date.

Garda Age Cards.

356. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the cost of operating the Garda age card in 2009; the number of cards issued in 2009; the waiting time for processing applicants; and if he will make a statement on the matter. [6798/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

Prison Suicides.

357. **Deputy Dan Neville** asked the Minister for Justice, Equality and Law Reform the number of prisoners who died by suicide in 2007, 2008 and 2009 under headings (details supplied). [6803/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): All deaths in prison custody are the subject of a Garda investigation and an inquest held in a Coroner's Court. The cause of death is determined by a jury on the basis of the information presented to the Court. There are strategies and plans in place in all institutions for the prevention of suicides. The circumstances of each death in prison custody are also examined by a multi-disciplinary group in each institution. Their objective is to identify, where possible, measures which might be implemented to contribute to a reduction in the risk of deaths in the future. In addition, the Irish Prison Service Steering Group for the Prevention of Self-Harm and Death in the Prison Population provides a forum for collating the reports of the local groups and disseminating significant findings throughout the prison system.

The number of suicides recorded in Irish prisons for the years 2007 and 2008 are 7 and 11 respectively. Statistics for 2009 are not currently available and will be forwarded to the Deputy as soon as possible.

Deportation Orders.

358. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform, further to Parliamentary Question No. 633 of 19 January 2010, the way this case is affected by a recent court decision; and if he will make a statement on the matter. [6818/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The person concerned was removed from the State on foot of a valid deportation order on 3rd February, 2010.

Citizenship Applications.

359. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding an application for citizenship in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [6820/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

Residency Permits.

360. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding the residency status in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [6821/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. The information sought by the Deputy will be provided at a later date.

Citizenship Applications.

361. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding an application for citizenship in the case of a person (details supplied) in County Cork; and if he will make a statement on the matter. [6825/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

Residency Permits.

362. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform if all enclosures submitted but not available at the time of original decision not to grant reunification were or will be reviewed in the application for family reunification in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6826/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

363. **Deputy Bernard J. Durkan** asked the Minister for Justice, Equality and Law Reform the position regarding residency in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [6829/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. The information sought by the Deputy will be provided at a later date.

Garda Stations.

364. **Deputy Jimmy Devins** asked the Minister for Justice, Equality and Law Reform his plans to provide alternative accommodation and-or upgrade the existing building in view of the inadequate facilities at Sligo Garda station. [6961/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): The Garda accommodation programme is based on agreed priorities established by An Garda Síochána and it is brought forward in close cooperation with the Office of Public Works, which has responsibility for the provision and maintenance of Garda accommodation. Garda accommodation requirements are considered in the context of the Garda Síochána's identified accommodation priorities and in light of available resources. I regret that the information requested by the Deputy is not readily to hand. I will write to the Deputy as soon as it is available.

Departmental Programmes.

365. **Deputy Fergus O'Dowd** asked the Minister for Justice, Equality and Law Reform the number of civil and public servants who have signed up for the cycle to work scheme; and the cost of the scheme to date in 2010. [7578/10]

Minister for Justice, Equality and Law Reform (Deputy Dermot Ahern): To date a total of 90 staff in my Department have availed of the Cycle-to-Work Scheme. The operation of the Scheme does not incur a direct cost on the Department, as the cost of the bicycle and equipment purchased is recouped from the individual staff member's salary. The administration of the scheme has been carried out within existing resources and no additional costs have arisen in that respect.

Passport Applications.

366. **Deputy Joe McHugh** asked the Minister for Foreign Affairs if, in view of the unwillingness of the passport office to process passport applications from the Houses of the Oireachtas during the current industrial action, he will establish a temporary passport office in the north west; and if he will make a statement on the matter. [6645/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The Passport Office provides a comprehensive range of options for citizens to apply for passports. In addition to the public counter service in Dublin and Cork applications may be made by express post through some 1,000 post offices across the country, including 67 in the Deputy's county of Donegal, and some 70 post-offices in Northern Ireland. A guaranteed 10 working day service is available for such applications which are complete and in order. Less urgent applications can also be made by ordinary post. Given the current financial pressures on my Department, I have no plans to open additional regional passport offices.

International Agreements.

367. **Deputy Ruairí Quinn** asked the Minister for Foreign Affairs the countries with which Ireland has tax treaties; and if he will make a statement on the matter. [6064/10]

Minister for Foreign Affairs (Deputy Micheál Martin): Ireland has signed Double Taxation Agreements with 56 countries, of which 48 are in effect. These Agreements cover direct taxes, which in the case of Ireland are income tax, corporation tax and capital gains tax. The purpose of these Agreements is essentially to eliminate double taxation and to promote trade and investment.

Double Taxation Agreements are currently in effect with: Australia; Austria; Belgium; Bulgaria; Canada; Chile; China; Croatia; Cyprus; the Czech Republic; Denmark; Estonia; Finland; France; Germany; Greece; Hungary; Iceland; India; Israel; Italy; Japan; Korea; Latvia; Lithuania; Luxembourg; Macedonia; Malaysia; Malta; Mexico; Netherlands; New Zealand; Norway; Pakistan; Poland; Portugal; Romania; Russia; Slovak Republic; Slovenia; South Africa; Spain; Sweden; Switzerland; the United Kingdom; the United States; Vietnam; and Zambia.

Agreements have been signed, but have not yet entered into force with: Albania (signed 16th October 2009 — not yet in force); Bahrain (signed 29th October 2009 — not yet in force); Belarus (signed 3rd November 2009 — not yet in force); Bosnia & Herzegovina (signed 3rd November 2009 — not yet in force); Georgia (signed 20th November 2008 — not yet in force); Moldova (signed 28th May 2009 — not yet in force); Serbia (signed 23rd September 2009 — not yet in force); and The Republic of Turkey (signed 24th October 2008 — not yet in force). These Agreements will enter into force once both countries have notified each other of the completion of their internal procedures.

Ireland has also concluded Tax Information Exchange Agreements with Anguilla; Antigua and Barbuda; Bermuda; the British Virgin Islands; the Cayman Islands; the Cook Islands; Gibraltar; Liechtenstein; Samoa; Guernsey; the Isle of Man; Jersey; St. Vincent and the Grenadines; and the Turks and Caicos Islands. The purpose of Tax Information Exchange

Agreements is to allow the Revenue Commissioners to request information which is relevant to an Irish tax investigation, directly from their counterparts in other countries and territories. In addition, Ireland has concluded Agreements for affording relief from double taxation with respect to certain income of individuals and establishing mutual agreement procedures in connection with the adjustment of profits of associated enterprises, with Guernsey, the Isle of Man and Jersey.

Ireland's comprehensive network of tax treaties is a key element of our clear and transparent corporate tax system. The business community has expressed interest in increasing the number of double taxation conventions with other countries in order to facilitate international trade and investment. In this context the Department of Foreign Affairs will continue to work closely with the Department of Finance and the Revenue Commissioners, who have primary responsibility for the substance and negotiation of tax treaties, to further extend our tax treaty network.

Departmental Procurement.

368. **Deputy Joe McHugh** asked the Minister for Foreign Affairs the companies that have been granted contracts for projects worth more than €10 million in the period 2000 to 2010. [6148/10]

370. **Deputy Joe McHugh** asked the Minister for Foreign Affairs the companies that have been granted contracts for projects worth more than €15 million in the period 2000 to date in 2010. [6320/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I propose to take Questions Nos. 368 and 370 together.

The following table sets out the information requested by the Deputy for the period in question:

Contracts over €10 million	Contracts over €15 million
DLRS Limited (Formerly De La Rue Smurfit Limited)	Bearingpoint Ireland Limited Sagem Identification BV (Formerly SDU Identification BV)

The contract with DLRS is for the provision of passport booklets. The contracts with Bearingpoint relate to the development, support and maintenance of the Automated Passport System. The contract with Sagem involves the provision of data pages with the capacity to record biometric features for inclusion in passport booklets.

Consultancy Contracts.

369. **Deputy Damien English** asked the Minister for Foreign Affairs the number of external consultants currently working for or in his Department; the work they are carrying out; and if he will make a statement on the matter. [6202/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The Department of Foreign Affairs is responsible for two Votes — Vote 28 (Foreign Affairs), and Vote 29 (International Cooperation) under which most of Ireland's expenditure on Official Development Assistance (ODA) is provided, and which is administered by Irish Aid, the Development Co-operation Division of my Department. In the case of Vote 28, there are currently three (3) external consultants who provide the following services:

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Bianconi Research Limited (trading as RITS) provides the Department with high-level expert advice on ICT and communications security which is critical to maintaining the security and integrity of the Department's ICT and communications infrastructure.

Long Road Productions Limited provides the services of a cultural coordinator who advises and assists the Department in planning and organising cultural events linked to State and Official visits abroad.

Professor Richard Sinnott is carrying out an analysis of survey data on opinions and attitudes to the European Union.

In the case of Vote 29, at present there are thirty eight (38) consultants under contract to Irish Aid. These provide independent appraisal, audit, monitoring and evaluation of Irish Aid's programmes and projects which involve a wide range of areas and activities. Some of them also provide highly specialised knowledge and advice on matters such as HIV/AIDS, tropical agriculture and climate and other sectors relevant to development cooperation with a focus on African experience.

I am very conscious of the need to achieve value for money on consultancy expenditure. The Department commissions consultancies only where specialised knowledge and/or skills are not available within the Department and, particularly in the case of Irish Aid where an independent evaluation of programmes and projects is required. Given the overall scale of the Irish Aid Programme, this level of monitoring, review and evaluation is both prudent and proportionate.

Question No. 370 answered with Question No. 368.

Overseas Development Aid.

371. **Deputy Billy Timmins** asked the Minister for Foreign Affairs if he will respond to a query (details supplied); and if he will make a statement on the matter. [6373/10]

Minister of State at the Department of Foreign Affairs (Deputy Peter Power): The query referred to by the Deputy relates to funding under the Government's aid programme for an Irish Non-Governmental Organisation (NGO), which received funding of €200,900 from Irish Aid in 2004 for a two-year training programme to benefit young adults with disabilities in Eastern Europe. In response to concerns about how aspects of the programme were being managed, Irish Aid carried out a detailed evaluation and audit review, which was completed in February 2007.

The evaluation and audit review highlighted a number of management issues and found that a proportion of the Irish Aid funding had not been sufficiently accounted for. All the recommendations in the report were followed up in detail with the NGO, resulting in the reallocation of funding identified as not allowable under the terms of the original grant, to support substantial additional training programmes agreed with Irish Aid. These programmes were completed in August 2009. Final reports have been received by Irish Aid, and all funding has been fully accounted for.

In this case, the evaluation and audit review initiated by Irish Aid found no evidence of misappropriation of funds, or of fraud. Irish Aid, which is managed by the Development Cooperation Division of the Department of Foreign Affairs, operates on the basis of very rigorous audit procedures, which are designed to ensure that all funding under the aid programme is used for the purpose intended, achieving value for money for the taxpayer. The Irish Aid internal audit unit is an independent unit which operates to the highest professional standards and in accordance with best international practice. Its work programme is shared with the

Comptroller and Auditor General and is overseen by the independent Audit Committee of the Department of Foreign Affairs, which also follows up on the implementation of audit recommendations.

The Fraud Policy of the Department of Foreign Affairs requires that, following investigation, and where appropriate, instances of suspected fraud are reported to the Garda, the Comptroller and Auditor General, or to the relevant authorities in other countries.

Departmental Offices.

372. **Deputy Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if all the portable electrical equipment in his Department and subsidiary companies have portable appliance test certificates as required by the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007; if not, the reason for same; if his attention has been drawn to the fact that a PAT must be carried out on all movable electrical equipment in offices, centres and so on, to ensure the safety and welfare of both employees and employers; if his further attention has been drawn to the fact that records of all such tests must be kept for at least five years to allow the Health and Safety Authority to carry out random spot checks and that insurance companies and underwriters are already seeking proof of compliance prior to renewal of policies. [6455/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I regret that it is not possible to provide the information requested by the Deputy at this time. I will be happy to provide a reply with the information when it is possible to do so.

Emigrant Support Services.

373. **Deputy Emmet Stagg** asked the Minister for Foreign Affairs if funding is available for the construction of the Irish World Heritage Centre in Manchester, England; and the amount available in 2010. [6501/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The Irish World Heritage Centre in Manchester is operated by the Irish Diaspora Foundation Ltd. (IDF). The organisation is in the process of developing a new facility intended to replace the existing Irish Centre in the Cheetham Hill area of Manchester. The Government has provided extensive capital funding totalling €2.01million to the organisation for this project over recent years. This included separate grants provided under the Emigrant Support Programme of €775,000 and €600,000 in 2007 and 2008 respectively.

Funding was not provided in 2009 as progress in advancing the project slowed against the background of the difficult financial and economic situation. This decision was in line with benchmarks set as part of the previous grant allocations. Our Embassy in London is in regular contact with the Irish World Heritage Centre and has reported that significant progress has been achieved over recent months. Applications for the 2010 Emigrant Support Programme grant round can be submitted on-line between mid-March and mid-April. The precise opening and closing dates will be advertised in due course. The organisation referred to by the Deputy will have an opportunity to submit an application for additional funding through this process and all applications will be given full consideration by this Department.

Human Rights Issues.

374. **Deputy Chris Andrews** asked the Minister for Foreign Affairs if he will make a statement on the abduction of a person (details supplied) who has been missing almost a year; if he has expressed this position to the Chinese Embassy here. [6718/10]

Minister for Foreign Affairs (Deputy Micheál Martin): I am deeply concerned about the disappearance of Mr. Gao Zhisheng, a prominent Chinese human rights lawyer. As has been reported in this House on many previous occasions, human rights issues in China, including individual cases, are regularly discussed on a bilateral basis with the Chinese Government, both in Beijing and in Dublin. The Government continues to stress at such meetings the great importance attached by Ireland to human rights, fundamental freedoms and the rule of law, and to urge the Chinese authorities to ratify the International Covenant on Civil and Political Rights.

A broad-ranging EU-China human rights dialogue enables the EU to engage with China on such issues as freedom of expression, the death penalty, the independence of the judiciary, prison conditions, freedom of religion and minority rights as well as individual cases. I note with deep concern that Mr. Gao Zhisheng has now been missing for over a year from his home in Shaanxi province and that on the two occasions on which he has been sighted since that time, the last of which was June 2009, he was accompanied by police officers. Since June, it has not been possible for either members of his family or his professional colleagues to make contact with him. In the period since his disappearance, the EU has repeatedly called on the Chinese authorities to reveal his whereabouts. His case has been raised during the last two meetings of the EU-China Human Rights dialogue, held in Prague on 14 May 2009 and in Beijing on 20 November 2009 respectively. We have called on the Chinese authorities to give Mr Gao Zhisheng access to legal advice and to allow him to maintain contact with his family. We have urged them to clarify without delay his present situation and to open a fully independent and transparent investigation into his disappearance.

Unfortunately, no firm response has been received from the Chinese authorities to our representations. Mr. Gao Zhisheng's current location and physical condition remain unknown, a year after contact with him was first lost. I am very concerned about this case and have instructed that it be raised bilaterally with the Chinese authorities.

Overseas Development Aid.

375. **Deputy Michael D. Higgins** asked the Minister for Foreign Affairs the measures that his Department is engaging in or will engage in regarding the difficulties of obtaining legitimate visas that allow internationals to work and volunteer in Israel and the occupied Palestinian territory in view of the amount of EU aid that is provided to Israel; and if he will make a statement on the matter. [6957/10]

Minister for Foreign Affairs (Deputy Micheál Martin): NGOs operating in the Occupied Palestinian Territories perform a vital role in trying to mitigate and ease the burden of the occupation on the Palestinian people, provide for their physical well-being in circumstances where economic life and opportunities are severely constrained, and attempt to redress some of the injustices of occupation policies. Without their work the likelihood of the increasing pressures resulting in renewed violence would be very much greater, and they are therefore clearly of benefit to both the Palestinian and Israeli peoples, and help provide the breathing space in which the current search for a peaceful settlement can take place.

Experienced and highly qualified international staff form the backbone of international NGOs and UN operations, and international staff and volunteers contribute strongly to the work of Israeli and especially Palestinian NGOs. Despite difficulties, in general it has been possible up to now for staff working with international NGOs to obtain B1 visas, allowing them to work in Israel and Palestine, but staff with Palestinian NGOs have had to work under much more varied and irregular status, or sometimes none.

In recent months I have become aware of reports of more restricted practices by the Israeli authorities in issuing visas to staff of international NGOs. They are being issued, often with considerable delays, with B2 visas entitling them to visit but not to work in Israel, with the implication being that working in Palestinian areas is a matter for the Palestinian Authority.

In addition to the increased bureaucracy and lack of transparency of the changed system, which seems to reflect a greater pressure generally on NGOs, the issuing of B2 visas causes a real difficulty in relation to East Jerusalem, which is considered by the Israeli authorities to be part of Israel. Many NGOs work among the predominantly Palestinian population of East Jerusalem, while international staff working in other parts of the West Bank often live there. The position of both NGOs and staff, and movements through the maze of restrictions around the greater Jerusalem area, are made considerably more difficult by this change.

The Irish Missions in Tel Aviv and Ramallah have been closely following this development in concert with our EU partners and through contacts with the NGO community. The exact scope and effect of the new rules are still being established. Together with our EU partners we are considering what action we can take. A very important consideration in this regard is that we should be careful that any action in this highly complex area does not make matters worse. The basic position of principle is quite clear: for as long as Israel remains in occupation of the Palestinian territories, including East Jerusalem, it should facilitate unhindered access to those areas by international staff seeking to help the Palestinian people living under that occupation.

Northern Ireland Issues.

376. **Deputy Michael D. Higgins** asked the Minister for Foreign Affairs his views on whether the establishment of a public centre detailing the history and culture of the communities of Northern Ireland may enhance understanding here; and if he will make a statement on the matter. [6958/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The consolidation of peace in Northern Ireland and the promotion of partnership and co-operation between both traditions on the island of Ireland is a key policy priority for the Irish Government. In this regard, mutual understanding of the history and culture of the two main traditions is an important building block in fostering reconciliation on the island. This rich historical and cultural heritage is not the exclusive preserve of the communities in the North alone but is also shared on an island-wide basis. This is manifested in the numerous historical buildings, local museums and interpretative centres, many of which are owned and operated by the State.

The Government is committed to deepening the understanding of our shared history. Of particular importance has been the construction of a visitor centre at the Battle of the Boyne site in Oldbridge, Co. Meath, in recognition of the historical significance of the site. The Centre was opened on 6 May 2008 and has already made a significant contribution towards breaking down the barriers of misunderstanding and mistrust and fostering lasting reconciliation between the traditions on the island.

In addition to the Government investment in the Oldbridge site, the Reconciliation Fund, administered by my Department, aims to assist organisations involved in reconciliation work and efforts to create better understanding between people on the island of Ireland and between Ireland and Britain. Some of the projects funded in recent years have explored the history and culture of the two main traditions on the island. Examples include:

- The Saint Patrick Centre, a permanent exhibition in Downpatrick dedicated to Ireland's Patron Saint, which provides reconciliation and education programmes to thousands of

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children in Northern Ireland every year as well as running cross border and international youth programmes.

- Support for organisations such as Cooperation Ireland, Glencree Centre for Peace and Reconciliation, Meath Peace Group and the Irish Peace Institute, which facilitates cross border exchange programmes that explore cultural differences between the communities on the island.

The Commemoration Initiative Fund, operated by the Department of the Taoiseach, provides funding to assist individuals or groups in organising the commemoration of individuals or events of historic importance. Funding under this scheme in 2009 was committed towards the cost of the Mayo Peace Park, a publication to mark the 150th anniversary of the founding of the Irish Republican Brotherhood, the commemoration of the bicentenary of the birth of William Gladstone and a conference on the plural Protestant traditions in Ireland. Previous initiatives included marking the 90th anniversary of the Easter Rising and the Battle of the Somme.

Finally, as the island moves into a decade marking the centenary of historical events which have been seminal in the evolution of the history and culture of the two main traditions on the island, the Department of the Taoiseach is engaged with other Departments and agencies on the preparation of a centenary commemorative programme. While centred on the Easter Rising, it will also include the centenary of the start of World War I in 2014 and the centenary of the Battle of the Somme in 2016. The Minister for Defence is chair of the Oireachtas all-party consultation group on centenary commemorations.

Departmental Programmes.

377. **Deputy Fergus O'Dowd** asked the Minister for Foreign Affairs the number of civil and public servants that have signed up for the cycle to work scheme; the cost of the scheme to date in 2010. [7576/10]

Minister for Foreign Affairs (Deputy Micheál Martin): The Finance (No. 2) Act 2008 provided for the introduction of an exemption from income tax in respect of a benefit-in-kind arising from a bicycle or associated safety equipment being supplied by an employer to an employee for the purposes of commuting to work. Since the introduction of the Cycle to Work Scheme, 23 officers in my Department have applied to avail of this tax exemption. In each case, the bicycles and equipment are purchased by the Department on the officer's behalf and an amount equivalent to the cost is deducted from the officer's salary over the course of one year. There is, therefore, no cost to the Department as a result of its participation in the Scheme.

Departmental Procurement.

378. **Deputy Joe McHugh** asked the Minister for Arts, Sport and Tourism the companies that have been granted contracts for projects worth more than €10 million in the period 2000 to 2010. [6140/10]

381. **Deputy Joe McHugh** asked the Minister for Arts, Sport and Tourism the companies that have been granted contracts for projects worth more than €15 million in the period 2000 to date in 2010. [6312/10]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): I propose to take Parliamentary Questions Nos. 378 and 381 together.

Since its establishment in June 2002, the Department (including the National Archives) has not granted any contracts for projects worth more than €10 million.

Consultancy Contracts.

379. **Deputy Damien English** asked the Minister for Arts, Sport and Tourism the number of external consultants currently working for or in his Department; the work they are carrying out; and if he will make a statement on the matter. [6194/10]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): There is one external consultant currently working for or in the Department (including the National Archives), as set out in tabular form below:

External Consultant	Nature of Work
HR Benchmarking Enterprises Ltd.	To assist with a human resource management issue.

Arts Funding.

380. **Deputy Tom Sheahan** asked the Minister for Arts, Sport and Tourism if he will be in a position to allocate funding and sponsorship towards a festival (details supplied) in County Cork in 2010. [6234/10]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): My Department will make a decision on applications for funding in 2010 in due course.

Question No. 381 answered with Question No. 378.

Swimming Pool Projects.

382. **Deputy Aengus Ó Snodaigh** asked the Minister for Arts, Sport and Tourism the grants available for public swimming pools and the conditions therein. [6358/10]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): Under the Local Authority Swimming Pool Programme, which is administered by the Department of Arts, Sport and Tourism grant aid to a maximum of €3.8 million is provided to Local Authorities towards the capital costs of new swimming pools or the refurbishment of existing pools, subject in both cases to the total grant not exceeding 80% of the eligible cost of the project or, in the case of projects located in disadvantaged areas, 90% of the eligible cost. Proposals must comply with the standards set out in the Department's "Procedures for the Planning, Approval and Financing of Swimming Pools and Technical Guidelines."

Under the Guidelines there are four principal stages in a swimming pool project following the submission of a feasibility study. These, in order of progress, are: Preliminary Report; Contract Documents; Tender and Construction. Grant-aid is allocated only when tenders have been approved for the project and is capped at the time of allocation. The Department and its technical advisors, the Office of Public Works, evaluate each stage and Local Authorities cannot proceed to the next stage of a project unless prior approval issues from the Department of Arts, Sport & Tourism. The current round of the programme has been closed to new applicants since July 2000. An allocation of €7.5m has been provided to meet commitments under the current round arising in 2010. No decision has been taken on the timing of a new round of the programme.

383. **Deputy Aengus Ó Snodaigh** asked the Minister for Arts, Sport and Tourism the amount of each grant for swimming pools issued by his Department for each of the past 15 years; and the location of each pool which benefitted from the grant. [6359/10]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): The information requested by the Deputy is attached in tabular form and will be circulated with the official report. Prior to 1998 the swimming pool programme was operated by the Department of Environment and Local Government. Payments are shown in the table from 1998-2002 when the programme was operated by the Department of Tourism Sport and Recreation and from 2002-2010 when the Department of Arts, Sport and Tourism was established.

Local Authority Swimming Pool Programme

Payments by the Department of Tourism, Sport and Recreation (D/Arts, Sport and Tourism since 2002) for the years 1998 to 2010

(exchange rate: 0.787564 for years 1998 to 2000)

County	*1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008 to end Dec	2009	2010	Total Paid
	€	€	€	€	€	€	€	€	€	€	€			€
Clare (Ennis)	203,665	0	2,570,713	0	146,020	0	0	0	0	0	0	0	0	2,920,398
Cork City (Churchfield)	0	0	0	0	0	0	3,618,753	0	190,461	0	0	0	0	3,809,214
Cork Co (Youghal)	0	0	0	0	0	0	460,485	959,915	2,198,353.49	0	190,461	0	0	3,809,214
Cork Co (Cobh)	0	0	0	0	0	0	273,489	1,105,961	2,239,304	0	0	190,461	0	3,809,214
Donegal (Ballyshannon)	97,440	0	0	0	0	0	0	0	0	0	0	0	0	97,440
Donegal (Letterkenny)	0	0	0	0	0	0	882,143	927,198	1,618,952	0	0	380,921	0	3,809,214
Dublin City (Finglas)	0	0	0	0	1,222,357	2,396,397	0	0	0	0	0	190,462	0	3,809,215
Dublin City (Ballymun)	0	0	0	0	0	0	3,618,753	0	0	0	190,461	0	0	3,809,214
Dublin City (Ballyfermot)	0	0	0	0	0	0	395,397	1,346,979	1,876,377	0	0	0	0	3,618,753
Dublin (St. Michaels House)	0	0	0	0	0	0	0	0	445,842	2,222,220	661,938	370,000	0	3,700,000
Dublin (St. Joseph's School)	0	0	0	0	0	0	0	0	0	270,000	30,000	0	0	300,000
DunLaoghaire Rathdown (Dundrum)	0	0	0	0	0	0	0	0	0	0	3,428,293	0	0	3,428,293
Dublin South (Jobstown)	0	0	0	0	0	0	256,920	1,416,642	1,754,730	0	0	380,921	0	3,809,214
Dublin South (Clondalkin)	0	0	0	0	0	0	0	311,570	2,745,861	370,862	0	380,921	0	3,809,214
Galway (Renmore)	0	203,158	0	0	0	0	0	0	0	0	0	0	0	203,158
Galway (Ballinasloe)	0	0	0	0	1,275,193	2,343,560	0	190,461	0	0	0	0	0	3,809,214
Galway (Tuam)	0	0	0	0	0	0	2,050,678	1,568,075	0	190,461	0	0	0	3,809,214
Kerry (Tralee Aquadome)	0	0	0	0	0	86,400	0	0	0	0	0	0	0	86,400
Kerry (Tralee Sports Centre)	0	0	0	0	0	1,379,339	2,239,415	190,461	0	0	0	0	0	3,809,214
Kerry (Ballybunion)	0	0	0	0	0	0	0	295,105	1,339,354	2,148,436	0	0	0	3,782,896
Kerry (Killarney)	0	0	0	0	0	0	0	504,248	1,137,768	1,784,991	0	0	0	3,427,007
Kildare (Athy)	0	0	0	0	0	0	0	0	0	893,790	2,534,502	0	0	3,428,293
Kildare (Naas)	0	0	0	0	0	0	0	0	0	1,161,459	2,266,834	0	0	3,428,293
Kilkenny (Kilkenny)	0	0	0	0	0	0	0	0	0	2,134,015	1,294,277	0	0	3,428,292
Laois (Portlaoise)	0	0	0	0	0	0	0	0	985,564	2,442,728	0	380,921	0	3,809,214
Laois (Portarlinton)	0	0	0	0	0	0	0	0	1,345,565	2,076,189	0	387,460	0	3,809,214
Limerick (Askeaton)	7,877	0	0	0	0	0	0	0	0	0	0	0	0	7,877
Limerick (Newcastlewest)	0	12,697	0	0	0	0	0	0	0	0	0	0	0	12,697
Limerick (Askeaton-replace)	0	0	0	0	0	0	0	0	1,446,354	1,981,940	0	380,921	0	3,809,215

Local Authority Swimming Pool Programme

Payments by the Department of Tourism, Sport and Recreation (D/Arts, Sport and Tourism since 2002) for the years 1998 to 2010 — *continued*

(exchange rate: 0.787564 for years 1998 to 2000)

County	*1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008 to end Dec	2009	2010	Total Paid
	€	€	€	€	€	€	€	€	€	€	€			€
Limerick City (Grove Island)	0	0	0	0	0	2,108,526	1,510,227		190,461					3,809,214
Longford	0	0	0	0	0	0	0	0	1,437,798	1,990,494		380,921		3,809,213
Louth (Dundalk)	0	0	1,844,381	1,774,371	0	0	190,462		0					3,809,214
Louth (Drogheda)	0	0	0	0	0	0	523,195	3,095,558	0			190,461		3,809,214
Mayo (Claremorris)											1,762,624	1,665,668		3,428,293
Meath (Navan)	241,250	1,471,868	1,168,463	0	0	158,717	0		0					3,040,298
Monaghan Town (refurbish)	30,443	272,804	0	0	77,674	0	0		0					380,922
Monaghan Town (replace)	0	0	0	0	0	0	0	2,188,846	1,239,446		380,921			3,809,214
Offaly (Birr)	0	0	0	0	0	0	0		0	1,260,000	88,380	149,820		1,498,200
Offaly (Clara, Edenderry)	11,428	0	0	0	0	0	0	0	0	0	0			11,428
Offaly (Tullamore)										1,517,415	1,910,878			3,428,293
Roscommon Town	0	0	0	2,724,246	894,488	0	190,480		0					3,809,214
Tipperary Town (Sean Treacy pool)	50,790	77,453	0	0	0	0	0		0					128,242
Tipperary (Clonmel)	0	0	0	0	0	336,600	1,223,237		0			82,097		1,641,934
Tipperary (Thurles)	0	0	0	0	0	0	0	0	580,171	2,538,210	309,911	380,921		3,809,213
Tipperary (Roscrea)											1,345,936	2,082,356		3,428,292
Waterford (Crystal) £112,996 IR pd 1997 to DoE = €143,476	913,264	752,637	95,230	0	0	0	0		0					1,761,131
Westmeath (Mullingar)	95,230	44,959	0	0	0	0	0		0					140,189
Wexford Ferrybank												2,815,907	333,130	3,149,037
Wexford (Gorey/Courtown)	0	0	0	3,618,754	0	190,461	0		0					3,809,214
Wexford (Enniscorthy)	983,208	500,965	0	0		0	152,369		0					1,636,541
Wicklow (Arklow)	103,415	1,620,626	382,341			0	0		0			117,451		2,223,833
Wicklow Town	238,711	756,653	1,295,041		266,645	0	0		0					2,557,051
Wicklow (Bray)										1,714,983	1,713,309	380,921		3,809,214
Wicklow (Greystones)										1,088,597	2,339,695	380,921		3,809,213
Overall Total	2,976,721	5,713,821	7,356,169	8,117,371	3,882,377	9,000,000	17,586,003	14,101,019	22,772,361	27,786,790	20,448,420	11,670,434	333,130	151,744,616

Swimming Pools funded, by Pool, since 1998 (since transfer to this Department)

	Pool	County	Total allocated to pool project
			€
1	*Arklow	Wicklow	2,349,015
2	*Ballyshannon	Donegal	2,038,472
3	*Askeaton	Limerick	96,759
4	*Newcastlewest	Limerick	36,187
5	*Mullingar	Westmeath	1,180,074
6	*Navan	Meath	3,174,345
7	*Offaly (Birr, Clara, Edenderry)	Offaly	239,980
8	*Tipperary Town	Tipperary	1,341,096
9	*Waterford (Waterford Crystal)	Waterford	1,904,607
10	*Wicklow Town	Wicklow	2,679,147
11	Askeaton (replace)	Limerick	3,809,214
12	Ballinasloe	Galway	3,809,214
13	Ballybunion	Kerry	3,782,896
14	Ballyfermot	Dublin City	3,809,214
15	Ballymun	Dublin City	3,809,214
16	Churchfield	Cork City	3,809,214
17	Clondalkin	South Dublin	3,809,214
18	Clonmel	Tipperary	1,641,934
19	Cobh	Cork County	3,809,214
20	Courtown/Gorey	Wexford	3,809,214
21	Drogheda	Louth	3,809,214
22	Dundalk	Louth	3,809,214
23	Ennis	Clare	2,920,398
24	Enniscorthy	Wexford	2,693,565
25	Finglas	Dublin City	3,809,214
26	Renmore	Galway	203,158
27	Jobstown	South Dublin	3,809,214
28	Killarney	Kerry	3,809,214
29	Letterkenny	Donegal	3,809,214
30	Longford	Longford	3,809,214
31	Limerick (Grove Island)	Limerick	3,809,214
32	Monaghan	Monaghan (refurbish)	380,921
33	Monaghan	Monaghan (replace)	3,809,214
34	Portlaoise	Laois	3,809,214
35	Portarlinton	Laois	3,809,214
36	Roscommon	Roscommon	3,809,214
37	Tralee (Aquadome)	Kerry	86,400
38	Tralee (Clonalour)	Kerry	3,809,214
39	Tuam	Galway	3,809,214
40	Youghal	Cork County	3,809,214
	Total		114,360,876

*Grants were allocated prior to 1998, but part of the grants were drawn down in 1998 and in ensuing years.

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Swimming Pools funded, by County/City Council, since 1998 (since transfer from D/Env. to this Department)

	County	Pool	Total allocation to swimming pool project
			€
1	Clare	Ennis	2,920,398
2	Cork County	Cobh	3,809,214
3	Cork County	Youghal	3,809,214
4	Cork City	Churchfield	3,809,214
5	Donegal	*Ballyshannon	2,038,472
6	Donegal	Letterkenny	3,809,214
7	Dublin City	Finglas	3,809,214
8	Dublin City	Ballymun	3,809,214
9	Dublin City	Ballyfermot	3,809,214
10	Galway	Galway (Renmore)	203,158
11	Galway	Ballinasloe	3,809,214
12	Galway	Tuam	3,809,214
13	Kerry	Tralee (Aquadome)	86,400
14	Kerry	Tralee (Clonalour)	3,809,214
15	Kerry	Ballybunion	3,782,896
16	Kerry	Killarney	3,809,214
17	Laois	Portlaoise	3,809,214
18	Laois	Portarlinton	3,809,214
19	Limerick	*Newcastlewest	36,187
20	Limerick	*Askeaton	96,759
21	Limerick	Limerick (Grove Island)	3,809,214
22	Limerick	Askeaton (replace in 2005)	3,809,214
23	Longford	Longford	3,809,214
24	Louth	Dundalk	3,809,214
25	Louth	Drogheda	3,809,214
26	Meath	*Navan	3,174,345
27	Monaghan	Monaghan Town (refurbish)	380,921
28	Monaghan	Monaghan Town (replace)	3,809,214
29	Offaly	*Offaly (Birr, Clara, Edenderry)	239,980
30	Roscommon	Roscommon	3,809,214
31	South Dublin	Jobstown	3,809,214
32	South Dublin	Clondalkin	3,809,214
33	Tipperary	*Tipperary Town	1,341,096
34	Tipperary	Clonmel	1,641,934
35	Waterford	*Waterford (Waterford Crystal)	1,904,607
36	Westmeath	*Mullingar	1,180,074
37	Wexford	Enniscorthy	2,693,565
38	Wexford	Courtown/Gorey	3,809,214
39	Wicklow	*Wicklow Town	2,679,147
40	Wicklow	*Arklow	2,349,015
	Total		114,360,876

*Grants were allocated prior to 1998, but part of the grant-aid was drawn down in 1998 and in ensuing years.

384. **Deputy Aengus Ó Snodaigh** asked the Minister for Arts, Sport and Tourism if he has had communications in the past five years with Dublin City Council regarding Crumlin swimming pool, Dublin 12 and the need for refurbishment or rebuilding; the extent of the exchange; the outcome of same. [6360/10]

385. **Deputy Aengus Ó Snodaigh** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to the fact that Dublin City Council proposed to close Crumlin swimming pool, Dublin 12, a public swimming pool due to lack of the funds required to refurbish or rebuild the facility; his views on the importance of keeping such facilities open to encourage active participation in the sport of swimming. [6361/10]

386. **Deputy Aengus Ó Snodaigh** asked the Minister for Arts, Sport and Tourism if he had communications in the past five years with Dublin City Council regarding the Coolock swimming pool, Dublin, a public swimming pool in need of refurbishment or rebuilding; the extent of the exchange; and the outcome of same. [6362/10]

387. **Deputy Aengus Ó Snodaigh** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to the fact that Dublin City Council proposed to close the Sean McDermott Street swimming pool, Dublin due to the lack of the funds required to refurbish or rebuild the facility; his views on the importance of keeping such facilities open to encourage active participation in the sport of swimming. [6363/10]

388. **Deputy Aengus Ó Snodaigh** asked the Minister for Arts, Sport and Tourism if he had communications in the past five years with Dublin City Council regarding the Sean McDermott Street swimming pool, Dublin 1, which is in need of refurbishment or rebuilding; the extent of the exchange; and the outcome of same. [6364/10]

389. **Deputy Aengus Ó Snodaigh** asked the Minister for Arts, Sport and Tourism if his attention has been drawn to the fact that Dublin City Council proposed to close Coolock swimming pool, Dublin due to lack of the funds required to refurbish or rebuild the facility; his views on the importance of keeping such facilities open to encourage active participation in the sport of swimming. [6365/10]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): I propose to take Questions Nos. 384 to 389, inclusive, together.

Under the current round of the Local Authority Swimming Pool Programme which closed to applicants on 31 July, 2000, no application was received from Dublin City Council on behalf of Crumlin, Coolock or Sean McDermott Street swimming pools. Since then a number of discussions have taken place with Dublin City Council relating to a number of pool projects, which the Council wish to develop in the event of a new round of the Programme being opened.

The question of the management of these swimming pools is entirely a matter for Dublin City Council. The current round of the Local Authority Swimming Pool Programme, operated by my Department, provides grant aid to a maximum of €3.8m to Local Authorities, towards the capital cost of new swimming pools or the refurbishment of existing pools. As already stated, the current round of the programme closed to applicants on 31 July 2000. Under the programme, 45 pools have been opened throughout the country with a further 12 pools at various stages of development. In the administrative area of Dublin City Council, new pools have been opened in Finglas, Ballyfermot, St. Michael's House, Belcamp Lane Dublin 24, Ballymun and work is underway on a new pool at Rathmines. No decision has been taken on the timing of a new round of the Local Authority Swimming Pool Programme. When a new

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round of the Programme is launched it will be open to all Local Authorities, including Dublin City Council on behalf of Crumlin, Coolock and Sean McDermott Street Swimming Pools, to submit an application under the terms that will apply.

Health and Safety Regulations.

390. **Deputy Aengus Ó Snodaigh** asked the Minister for Arts, Sport and Tourism if all the portable electrical equipment in his Department and subsidiary or grant aided companies such as An Comhairle Ealaíona, Bord Na gCon, Bord Fáilte and so on have portable appliance test certificates as required by the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007; if not, the reason for same; if his attention has been drawn to the fact that a PAT must be carried out on all moveable electrical equipment in offices, centres and so on, to ensure the safety and welfare of both employees and employers; if his further attention has been drawn to the fact that records of all such tests must be kept for at least five years to allow the Health and Safety Authority to carry out random spot checks and that insurance companies and underwriters are already seeking proof of compliance prior to renewal of policies; and if he will make a statement on the matter. [6461/10]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): The Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007 and in particular Part 3 of said Regulation dealing with Electricity matters sets out the required levels of compliance in relation to the operation of electrical systems and appliances. Section 75 of this Regulation specifies to whom it applies. As it relates to this Department there are two applicants. In relation to the design, installation and maintenance of electrical systems for the Department's office premises, the Office of Public Works have responsibility for ensuring that all electrical installations conform to the required standards and for testing and certification of these installations as necessary.

Regarding the general usage of electrical equipment and, more specifically, portable electrical equipment, the Regulation also applies to staff of the Department. In accordance with Section 81 of the Regulation, which addresses portable electrical equipment, the Department ensures that such equipment is maintained in a manner fit for safe use and is not used for work activities precluded under the Regulation. The Department has engaged external risk assessors to consider all aspects of health and safety, including the usage of such equipment, as part of the production of the required Safety Statements for its offices and has appropriately addressed issues as highlighted.

The Department, through its Health and Safety structures and mechanisms, also carries out its own periodic risk assessments and the results of these assessments are available to staff and State or other authorities as required. In respect of the agencies under the aegis of the Department, the question as raised is an operational matter for the agencies themselves.

Sports Funding.

391. **Deputy Seán Fleming** asked the Minister for Arts, Sport and Tourism the position regarding funding for the continued employment of sports inclusion disability officers by sports partnerships in 2010; and if he will make a statement on the matter. [6771/10]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): As I have previously informed the House, special funding of €2.5 million was allocated from the dormant accounts fund for the appointment of Sports Inclusion Development Officers (SIDOs) in 20 Local Sports Partner-

ships (LSPs) in 2008. The SIDOs were appointed on two-year contracts to provide opportunities for persons with a disability to participate in sport and physical activity.

A network of 33 LSPs have been set up throughout the country by the Irish Sports Council (ISC) to coordinate and promote sport at local level especially amongst specific target groups such as older people, girls and women, people with disabilities, unemployed people, and those who live in identified disadvantaged communities. The special dormant accounts funding was in addition to the annual funding provided to the LSPs by the ISC for programmes and initiatives aimed at increasing participation in recreational sport. Of the €2.5 million allocated from the dormant accounts fund for the SIDO scheme, €800,000 was provided through my Department's Vote in 2008 and over €1.3 million in 2009. The final provision of €395,000 from the dormant accounts allocation is included in the 2010 Vote of my Department. The continued funding of the SIDO scheme is being considered by the ISC in the context of the distribution of its budget for 2010.

Departmental Programmes.

392. **Deputy Fergus O'Dowd** asked the Minister for Arts, Sport and Tourism the number of civil and public servants who have signed up for the cycle to work scheme; the cost of the scheme to date in 2010. [7568/10]

Minister for Arts, Sport and Tourism (Deputy Martin Cullen): Since the introduction of the cycle to work scheme in my Department a total of 8 civil servants have signed up to avail of the scheme. All staff who availed of the scheme signed up in 2009. There is no discernible cost to the Department's vote in administering the scheme. The bicycles and equipment are paid for by way of salary sacrifice. There would be minor costs in processing forms and in carrying the upfront costs until such time as those are offset by the gradual deductions from salary. Neither of these is quantifiable. The only material cost to the State is the tax relief inherent in the scheme. The total amount sanctioned to date by way of cycle purchases for staff of this Department is €5,133.

National Drugs Strategy.

393. **Deputy Richard Bruton** asked the Minister for Community, Rural and Gaeltacht Affairs if he has secured a commitment from the nine funding sources contributing to the funding of the National Drugs Strategy 2009 to 2016 to sustain their financial commitment. [6088/10]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy John Curran): Expenditure on various aspects of the National Drugs Strategy in 2009, across a range of Departments and agencies, was in the region of €275m. All of the organisations involved are committed to the implementation of the Strategy and, in this context, my Department will be monitoring the overall implementation of the Strategy through progress on individual actions.

Departments and agencies are in the process of finalising their allocations to the relevant areas of the National Drugs Strategy at present and my Department is pursuing the completion of this process. With reductions in the level of public spending generally, it is likely that the overall spend in the drugs area in 2010 will be marginally down on the 2009 level. However, through my co-ordination role across the Strategy, I am working to ensure that the optimum use is made of the available resources, which will again total a substantial amount. As part of this, every effort will be made to protect front-line services to the greatest extent possible.

Departmental Expenditure.

394. **Deputy Ruairí Quinn** asked the Minister for Community, Rural and Gaeltacht Affairs the amount of money his Department has spent over the past three years on financial aid for the teaching of or research on the Irish language in foreign countries; and if he will make a statement on the matter. [6329/10]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): I refer the Deputy to my reply to Question No. 57 of 16 Nollaig 2009, in which I outlined that in 2006 my Department established a dedicated fund under Ciste na Gaeilge to provide funding for the teaching of Irish in 3rd level institutions overseas. Prior to the establishment of this fund, my Department had provided funding to a number of individual universities for this purpose. Details are set out below, in tabular form, on the total amount of funding provided by my Department for the promotion and teaching of Irish in 3rd level institutions abroad for the period 2007-09.

Year	Amount
	€
2007	609,893
2008	760,840
2009	992,658

Some 40 3rd level colleges and universities have been supported with this funding, including Harvard, Cambridge, Oxford, New York State, St. Thomas Heuston, Poznan, Mannheim and Marburg University in Germany, and — for the first time — University Beijing in China. The average annual grant is €20,000.

This funding initiative has proved extremely successful in raising the profile and perceived status of the Irish language at home and abroad, and in opening up opportunities for personal and career development for young Irish language teachers and other professionals. It also develops positive links at Governmental and university level between Ireland and other participating countries, as well as the interpersonal contacts that are so important in the long-term in ensuring a positive awareness of Ireland among our EU partners and further afield.

I would mention in particular the two-way exchanges promoted via our participation in the Fulbright Commission's programme and in partnership with the Ireland-Canada University Foundation. Aside from the value in terms of promotion of the language, there is a direct economic return in cultural tourism terms, as many of the international students who study Irish in their home institutions will continue their studies here in Ireland.

Departmental Programmes.

395. **Deputy John McGuinness** asked the Minister for Community, Rural and Gaeltacht Affairs if funding for 2010 for the administration budget of Kilkenny Leader partnership will be released shortly; and if he will make a statement on the matter. [6773/10]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): My Department is responsible for the delivery of Axes 3 & 4 of the Rural Development Programme 2007-2013 (RDP) for which overall funding of the order of €425m is available. The €40m allocation for 2010 represents an increase of approximately 120% on expenditure in 2009. In order to maximise the impact of the funding available to communities on the ground, the administration/animation budget has been capped at €12m this year. In overall terms, this is

roughly 10.5% less than that available for 2009. As a result, all groups will see a percentage decrease in the level of such funding available to them this year and, while I accept that this may present a challenge to some groups, my Department will continue to keep the matter under review.

The Deputy will appreciate that it is imperative, particularly in the current economic climate, that the RDP maximises the funding available for projects on the ground that will improve the quality of life in rural areas and will ensure the diversification of the rural economy. In this regard, my Department is working very closely with individual Local Action Groups to ensure the efficient and effective delivery of the RDP. I am confident that with prudent financial management, groups can continue to deliver an efficient and effective service to their local communities within the administration/animation funding that has been made available to them.

Co. Kilkenny LEADER Partnership Ltd has been allocated administration/animation funding of €345,712 for 2010 and was notified of this funding on 1st February last. Taking account of unspent 2009 administration/animation funds retained by the group, the overall 2010 allocation amounts to approximately €366k, which represents a decrease of a little over 8%. Payments of administration/animation funding commenced to all groups in early January and will continue on a regular basis throughout the year. Payments for projects are continuing on an ongoing basis as claims are submitted and I expect that all project commitments properly made for 2010 will be met.

Departmental Procurement.

396. **Deputy Joe McHugh** asked the Minister for Community, Rural and Gaeltacht Affairs the companies that have been granted contracts for projects worth more than €10 million in the period 2000 to 2010. [6142/10]

398. **Deputy Joe McHugh** asked the Minister for Community, Rural and Gaeltacht Affairs the companies that have been granted contracts for projects worth more than €15 million in the period 2000 to date in 2010. [6314/10]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): I propose to take Questions Nos. 396 and 398 together.

My Department was established in June 2002 and this reply covers the period from that date onwards. No companies have been granted contracts by my Department for projects worth €10 million or more in the period in question. However, for the sake of completeness, I should inform the Deputy that my Department has entered into certain contracts with aggregate values of over €10 million with a number of Local Action Groups under the Rural Development Programme 2007-2013, but such contracts relate to programme measures, rather than to individual projects.

In addition, my Department has paid amounts in excess of €10 million in total to both Galway and Mayo County Councils towards the development of Caladh Mór pier, Inis Meáin, and Cill Rónáin pier, Inis Mór, in Co. Galway, and Clare Island and Inishturk Island piers in Co. Mayo. In those cases, the relevant contracts to the companies carrying out the works were awarded by the local authorities, rather than by my Department. A breakdown of this expenditure on an annual basis is provided in the table. It should be noted that further payments will issue to Galway County Council in 2010 in respect of Cill Rónáin pier, where works are ongoing.

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Year	Amounts paid to Mayo County Council	Amounts paid to Galway County Council
	€	€
2003	249,053	
2004	7,891,933	
2005	2,597,769	
2006	847,455	
2007	26,549	7,726,920
2008		21,911,110
2009		13,317,711
To date in 2010		699,103
Totals	€11,612,759	€43,654,844

If the Deputy requires any further information in relation to the foregoing, I will be glad to provide it to him.

Consultancy Contracts.

397. **Deputy Damien English** asked the Minister for Community, Rural and Gaeltacht Affairs the number of external consultants currently working for or in his Department; the work they are carrying out; and if he will make a statement on the matter. [6196/10]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): My Department has made available on its website details regarding consultancies (excepting those of minor value, i.e., less than €5,000 excluding VAT) from June 2002 to end-December 2009. The relevant link, which will take the Deputy directly to these details, including the information sought by him, is as follows:

www.pobail.ie/en/CorporateSupportServices/Finance/Consultancies.

The Deputy will note from the database that there are 3 external consultancies in progress in my Department at present working towards the following objectives:

- to assist with the tendering process for the provision of management services in respect of airstrips located off the west and north-west coast of Ireland;
- to advise and report on the employment needs and development potential of islands with populations in excess of 55 people; and
- to advise and report, in the context of the INTERREG Programme, on infrastructure costs and design for a number of ferry routes serving remote communities off the Scottish and Irish coasts.

Question No. 398 answered with Question No. 396.

Health and Safety Regulations.

399. **Deputy Aengus Ó Snodaigh** asked the Minister for Community, Rural and Gaeltacht Affairs if all the portable electrical equipment in his Department and subsidiary or grant aided companies such as community development programmes, local area partnerships, Udarás na Gaeltachta and so on have portable appliance test certificates as required by the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007; if not, the reason

for same; if his attention has been drawn to the fact that a PAT must be carried out on all moveable electrical equipment in offices, centres and so on, to ensure the safety and welfare of both employees and employers; if his further attention has been drawn to the fact that records of all such tests must be kept for at least five years to allow the Health and Safety Authority to carry out random spot checks and that insurance companies and underwriters are already seeking proof of compliance prior to renewal of policies; and if he will make a statement on the matter. [6467/10]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): In line with the Safety, Health and Welfare at Work (General Application) Regulation (S.I. No. 299 of 2007), my Department is undertaking the process of testing all portable appliances and I am advised that this should be completed shortly. I am also advised that a copy of the Regulation has been provided to each of the bodies funded from within my Department's Vote Group for implementation, as appropriate.

Public Service Contracts.

400. **Deputy Joanna Tuffy** asked the Minister for Community, Rural and Gaeltacht Affairs when the current contract to operate the Cape Clear ferry in County Cork expires; if the new contract will be put out to public tender; if any expressions of interest have been made known to his Department to date; if there has been any discussion between himself and the current ferry operator regarding the renewal of the contract; if he envisages that the current operator will seek to renew the contract; and if he will make a statement on the matter. [6634/10]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): On 4 February 2010, I announced that I had approved the release of the company *Tithe Saoire Chléire Teo* from its contract with my Department to provide subsidised passenger and cargo ferry services to Cléire with effect from 28 February 2010. The decision to terminate the contract was taken on foot of an application made by the company itself and had regard to my Department's assessment of the feasibility of seeking to enforce the continuation of the contract or, alternatively, of making other arrangements for the provision of the ferry service.

In this regard, I also announced on the same day that an interim arrangement has been made by my Department with the consortium *Naomh Ciarán II Oileán Chléire Teo/Thar Tonn Teo* to provide a ferry service for Cléire for a nine month period from 1 March to 30 November 2010 at a total cost of €209,322. *Naomh Ciarán II Oileán Chléire Teo* had provided a subsidised ferry service for the island prior to the existing contract coming into effect on 1st March 2007 and was the only other company to compete for it at the time. It is my Department's intention to seek public tenders during the interim period in order to put a long-term ferry contract in place for the island from 1 December 2010.

It is my view that the interim service, together with a grant of €35,000 approved by me in 2009 to enable the Sherkin Island Development Society to establish a new heavy cargo service for Cléire, Sherkin, Heir and Long Islands, will ensure that the Cléire community enjoys ferry services on a par with those provided to other islands off our coast. I understand that the heavy cargo service commenced late last month.

National Drugs Strategy.

401. **Deputy Charlie O'Connor** asked the Minister for Community, Rural and Gaeltacht Affairs if there are plans to provide additional funding to the Tallaght drugs task force, Dublin, for the dial to stop drug dealing campaign; if his attention has been drawn to the success of the campaign to date; and if he will make a statement on the matter. [6638/10]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy John Curran): As the Deputy will be aware, the Dial-to-Stop Drug Dealing Campaign ran across 15 Local and Regional Drugs Task Forces areas, including Tallaght, in 2008 and 2009. At the end of 2009, nearly 5,770 calls were made to the confidential phone number, generating almost 1,600 reports to Gardaí. Due to the success of the campaign, I have again made funding available in 2010 to keep the phone line open and, already this year, there have been a further 138 calls. Over the coming months I will be reviewing various options for further promotional campaigns, perhaps through a more centralised approach or through potential linkages with other campaigns and fora.

Departmental Programmes.

402. **Deputy Bobby Aylward** asked the Minister for Community, Rural and Gaeltacht Affairs if he will lift the capping of the administration and animation budget available to a partnership (details supplied) in County Kilkenny which is already reduced by 21.5% in 2010; if he will arrange for payment to be made early in the programme to ensure that staff are retained and its 2010 project commitments are met; and if he will make a statement on the matter. [6643/10]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): My Department is responsible for the delivery of Axes 3 & 4 of the Rural Development Programme 2007-2013 (RDP) for which overall funding of the order of €425m is available. The €40m allocation for 2010 represents an increase of approximately 120% on expenditure in 2009. In order to maximise the impact of the funding available to communities on the ground, the administration/animation budget has been capped at €12m this year. In overall terms, this is roughly 10.5% less than that available for 2009. As a result, all groups will see a percentage decrease in the level of such funding available to them this year and, while I accept that this may present a challenge to some groups, my Department will continue to keep the matter under review.

The Deputy will appreciate that it is imperative, particularly in the current economic climate, that the RDP maximises the funding available for projects on the ground that will improve the quality of life in rural areas and will ensure the diversification of the rural economy. In this regard, my Department is working very closely with individual Local Action Groups to ensure the efficient and effective delivery of the Programme. I am confident that with prudent financial management, groups can continue to deliver an efficient and effective service to their local communities within the administration/animation funding that has been made available to them.

The group to which the Deputy refers has been allocated administration/animation funding of €345,712 for 2010 and was notified of this funding on 1st February last. Taking account of unspent 2009 administration/animation funds retained by the group, the overall 2010 allocation amounts to approximately €366k, which represents a decrease of a little over 8%. Payments of administration/animation funding commenced to all groups in early January and will continue on a regular basis throughout the year. Payments for projects are continuing on an ongoing basis as claims are submitted and all project commitments properly made for 2010 will be met.

Cross-Border Projects.

403. **Deputy Joanna Tuffy** asked the Minister for Community, Rural and Gaeltacht Affairs if he will provide details of all cross-Border programmes, initiatives, areas of co-operation and so on which his Department is engaging in, or about to engage in, with its counterparts in Northern Ireland; and if he will make a statement on the matter. [6777/10]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): North/South co-operation is a strategic priority for my Department, particularly in the context of the Good Friday and St. Andrew's Agreements. My Department supports and co-funds two North/South Implementation Bodies within its ambit — Waterways Ireland and An Foras Teanga (comprising Foras na Gaeilge and the Ulster-Scots Agency/Tha Boord o Ulstèr-Scotch) — along with the Department of Culture, Arts and Leisure (DCAL) in Northern Ireland. Both Implementation Bodies engage in an extensive range of activities in line with their remits with the support of substantial funding from my Department and DCAL. In this context, I participate regularly in meetings of the North/South Ministerial Council in both the Waterways and Language Sectoral Formats.

My Department is also active in a number of other areas of North/South co-operation that come within its remit. These include—

- participation in the British-Irish Council, both in the context of the Sectoral Group on the Misuse of Drugs, which is chaired by the Minister of State at my Department, Mr. John Curran, T.D., and the Sectoral Group on Indigenous Languages;
- the joint undertaking by the National Advisory Committee on Drugs and the Department of Health and Public Safety in Northern Ireland of the Drugs Use in Ireland and Northern Ireland — Drug Prevalence Survey (the 3rd such survey will be undertaken in 2010/2011);
- provision of co-funding under PEACE III 2007-13 (a contribution of €18.13m in respect of the €50m Priority 1/Theme 2 programme with a focus on reconciling communities in Northern Ireland and the 6 border counties of Ireland with a theme of “acknowledging and dealing with the past”) and INTERREG IV 2007-13 (a contribution of €4m in respect of the €10m rural development sub-theme for territorial co-operation covering Northern Ireland, the border region of Ireland and Western Scotland);
- participation in meetings of the North/South Ministerial Council in Agriculture Sectoral Format, as well as information exchange on common issues in relation to rural development, including cross-border network events in co-operation with the Department of Agriculture and Rural Development Northern Ireland;
- engagement, both formally, particularly through the UK & Ireland Charities Regulators Forum, and informally, on an ongoing basis, with the recently established Charities Commission for Northern Ireland on matters of common interest relating to the regulation of charities operating on the island of Ireland;
- participation in the Small Ferries Project, supported by an EU INTERREG grant of some £230,000 STG, to establish how best to design and build a fleet of small ferries to serve remote communities off the Scottish and Irish/Northern Irish coastlines; and
- provision of support (some €87,800 in 2009) to a cross-border volunteering initiative with the Department for Social Development in Northern Ireland, involving the GAA, Voluntary Arts Ireland and the Church of Ireland, with the objective of piloting action research in the area of volunteer recruitment.

Departmental Programmes.

404. **Deputy Fergus O'Dowd** asked the Minister for Community, Rural and Gaeltacht Affairs

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the number of civil and public servants that have signed up for the cycle to work scheme; and the cost of the scheme to date in 2010. [7570/10]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): 9 civil servants in my Department have signed up for the cycle to work scheme to date. The total amount sanctioned to date by way of cycle purchases for these staff is €5,439. There is no discernible cost to my Department's Vote in administering the cycle to work scheme, as those participating pay for the bicycles and equipment by way of salary sacrifice. There are minor costs arising in the context of processing applications received and in carrying the up-front costs until such time as those are offset by the gradual deductions from salary. Neither of these is quantifiable.

Social Welfare Benefits.

405. **Deputy Joe Costello** asked the Minister for Social and Family Affairs if she will reconsider the decision to refuse supplementary welfare allowance to a person (details supplied) in Dublin 1; and if she will make a statement on the matter. [6383/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Insurance.

406. **Deputy Lucinda Creighton** asked the Minister for Social and Family Affairs the contributions raised in PRSI in each of the past five years in each of the PRSI classes and categories in tabular form; and if she will make a statement on the matter. [6703/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): An analysis of PRSI collected in each of the last five years under the general headings of employer, employee and self employed persons is set out in the following table:

PRSI Receipts

	Year 2009 Provisional 11 months to 30/11/09	2008 Final	2007 Final	2006 Final	2005 Final
	€ million	€ million	€ million	€ million	€ million
Employers	5,175	5,945	5,762	5,167	4,512
Employees	1,444	1,634	1,539	1,380	1,218
Self-employed	310	405	421	374	380
Total	6,929	7,984	7,722	6,921	6,110

The figures shown above are net of the health contribution and the training fund levy. A breakdown of social insurance by PRSI class is currently not available. It would require significant analytical work to establish with accuracy the amounts recorded under each class and category.

Social Welfare Benefits.

407. **Deputy Denis Naughten** asked the Minister for Social and Family Affairs when a decision will issue on a family income supplement application in respect of a person (details supplied); the reason for the delay; and if she will make a statement on the matter. [6055/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

408. **Deputy Edward O’Keeffe** asked the Minister for Social and Family Affairs if she will issue a companion travel pass to a person (details supplied) in County Cork. [6057/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Insurance.

409. **Deputy Jack Wall** asked the Minister for Social and Family Affairs if a person (details supplied) in County Kildare is entitled to maternity leave payment under the number of contributions they have paid both as a self-employed person and as a PAYE employee; and if she will make a statement on the matter. [6059/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Code.

410. **Deputy Willie Penrose** asked the Minister for Social and Family Affairs the reason, in the context of a person making an application for jobseeker’s allowance, that a person’s partner’s income is not reduced by the amount of mortgage that is being paid, together with VHI payments, travel expenses and other such expenses, whereby the failure to allow such expenses deprives people of application for jobseeker’s allowance, where it is properly due, since if such expenses were allowed, the level of household income available is negligible; and if she will make a statement on the matter. [6074/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Jobseeker’s Allowance is a means tested social assistance scheme operated by my Department. For means test purposes, account is taken of the income and assets of both the claimant and his or her spouse/partner including the earnings of the spouse.

Where a spouse/partner has earnings from employment, earnings less PRSI contributions, pension contributions and trade union subscriptions are assessed as means. In addition, the first €20 per day is also disregarded, subject to a maximum of €60 per week and 60% of the balance is assessed where a claimant or a spouse/partner has income from employment. This means, for example where a spouse/partner is working three days a week and earning €200 per week, only €84 is assessed as means thereby ensuring that there is always an incentive to take up, or remain in, employment. The provision of any further disregards in relation to health insurance premiums or travel expenses would have to be considered in a Budgetary context and having regard to the level of existing incentive to take up employment.

No account is taken of mortgage repayments in calculating means for social assistance schemes generally, including jobseeker’s allowance. This would be inappropriate given that there is a specific social assistance scheme, the mortgage interest supplement scheme, which provides, subject to certain conditions, support for people who have difficulty meeting their mortgage repayments and whose means are insufficient to meet their needs. The mortgage interest scheme takes into account all of the person’s income, including social welfare income when calculating levels of entitlement. Accordingly, the net effect of disregarding mortgage interest repayments in calculating means for jobseeker’s allowance purposes would be to reduce the level of entitlement to mortgage interest supplement as the income of the person would be

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higher due to a higher level of jobseeker's allowance being in payment. Mortgage Interest Supplement is not payable to people in full time employment.

There are no plans to change the assessment of means for jobseeker's allowance or any other scheme so as to take mortgage interest repayments into account and it is appropriate that the mortgage interest supplement scheme remains the primary mechanism for supporting people who have difficulty making their repayments.

Pension Provisions.

411. **Deputy Willie Penrose** asked the Minister for Social and Family Affairs if she will furnish confirmation of the amount of old age pension that a person (detail supplied) in County Westmeath is awarded; and if she will make a statement on the matter. [6076/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Appeals.

412. **Deputy Noel J. Coonan** asked the Minister for Social and Family Affairs when an application for disability allowance appeal will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [6079/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Pension Provisions.

413. **Deputy Timmy Dooley** asked the Minister for Social and Family Affairs the position regarding the application for a State pension in respect of a person (details supplied) in County Clare. [6083/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Appeals.

414. **Deputy John McGuinness** asked the Minister for Social and Family Affairs if an appeal for supplementary welfare will be expedited in the case of a person (details supplied) in County Kilkenny. [6093/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Under Section 201 of the 2005 Social Welfare (Consolidation) Act, the Community Welfare division of the Health Service Executive (HSE) may make a single payment to meet an exceptional need to people on social welfare or health board payments. These payments are known as Exceptional Needs Payments (ENPs) and are made to assist with any essential, once-off cost which the applicant is unable to meet from his/her own resources. There is no automatic entitlement to this payment. Each application is determined by the Executive based on the particular circumstances of the case.

The person concerned was refused an ENP in November 2009 as in the opinion of the CWO the person concerned did not have an exceptional need at the time of the application. The person concerned was advised of her right to appeal the decision to the designated Appeals Office of the HSE. To date no appeal has been received. The person concerned should contact

the local HSE Appeals Office, 8 O'Connell Street, Clonmel, Co. Tipperary. (phone: 052-6125758) should she wish to appeal the original decision to refuse an ENP.

Pension Provisions.

415. **Deputy John McGuinness** asked the Minister for Social and Family Affairs if an appeal will be arranged in the case of a person (details supplied) in County Kilkenny regarding their State contributory pension and her Department's decision to cease payment; if a reasonable expectation of continued payment of this pension was created following acceptance by the Department of payment of PRSI contributions and thereafter the payment by her Department to the person of pension arrears and a weekly pension; if she will reconsider the reason for refusal and determine a solution to the issue in order to allow the pension. [6094/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

416. **Deputy John McGuinness** asked the Minister for Social and Family Affairs the reason payment of a State contributory pension has ceased in the case of a person (details supplied) in County Kilkenny; if payment will be resumed in view of the fact that all PRSI contributions have been paid up-to-date and that an outstanding amount requested by her Department has also been paid; if she will bring about the reason for the refusal so that full pension payments will be resumed. [6095/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

417. **Deputy John McGuinness** asked the Minister for Social and Family Affairs the reason she has ceased payment of a State pension contributory in respect of a person (details supplied) in County Kilkenny; if the pension will be restored in view of her Department's acceptance of payment from the person of PRSI contributions; if she is now obliged to continue payments having accepted on investigation the person's right to the pension and thereafter entering into the agreement; and if an agreed solution to the issue will be found. [6096/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide information sought by the Deputy.

Social Welfare Benefits.

418. **Deputy John McGuinness** asked the Minister for Social and Family Affairs if an appeal for supplementary allowance will be expedited and granted in the case of a person (details supplied) in County Kilkenny while they await the outcome of their appeal for jobseeker's allowance; if they will be considered to be habitually resident here in view of their ties to family, community and school in Kilkenny and the fact that they have been resident here over one year and 16 years in the common travel area; and if she will expedite the matter. [6097/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The supplementary welfare allowance (SWA) scheme is administered on behalf of the department by the community welfare division of the Health Service Executive (HSE). A person may qualify for basic supplementary welfare allowance if s/he is living in the State, satisfies a means test, has applied for any other benefit or allowances s/he may be entitled to, for example, one-parent family payment, jobseeker's allowance, has registered for work with FÁS if s/he is of working age satisfies the habitual residence condition (HRC).

[Deputy Mary Hanafin.]

However, a number of categories are specifically excluded from receiving assistance. These are people in full-time work, people in full-time education and people involved in trade disputes. Additionally SWA cannot at any time be viewed as a temporary or interim means of income support available independently of HRC, while an applicant awaits the outcome of either a decision — or an appeal against a decision — on a claim for a social welfare payment from the Department. The HRC main factors to be considered in determining whether a person is habitually resident are as follows:

- Length and continuity of residence in Ireland or in any other particular country;
- Length and purpose of any absence from Ireland;
- Nature and Pattern of employment;
- Applicant's main centre of interest;
- Future intentions of applicant as they appear from all the circumstances.

These factors are not exhaustive and no single factor is conclusive.

The person concerned was refused SWA on 23 September 2009 as she was not deemed to be habitually resident in the state on the basis of the examination of her claim taking these factors into account. The HSE has advised that the person concerned appealed against the decision to refuse her SWA to the HSE Appeals Officer. The HSE Appeals Officer upheld the decision in December 2009 to refuse SWA and the person concerned was advised of her right to appeal the decision to the Social Welfare Appeals Office (SWAO). She lodged an appeal with the SWAO in December 2009. The person concerned will be advised of the outcome as soon as a decision has been given in this case. In the meantime, SWA is not payable.

419. **Deputy Finian McGrath** asked the Minister for Social and Family Affairs if she will support the case of persons (details supplied) in Dublin 9. [6106/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

420. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when the household benefits package will be restored in respect of a person (details supplied) in County Mayo. [6109/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

421. **Deputy Jan O'Sullivan** asked the Minister for Social and Family Affairs when a person (details supplied) in County Limerick will receive child benefit; and if she will make a statement on the matter. [6116/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

422. **Deputy Jack Wall** asked the Minister for Social and Family Affairs if a person (details supplied) in County Kildare is entitled to a jobseeker's allowance payment for a period of time; and if she will make a statement on the matter. [6117/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Departmental Correspondence.

423. **Deputy Brian Hayes** asked the Minister for Social and Family Affairs the reason for the delay in responding to a person (details supplied); and if she will make a statement on the matter. [6118/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

424. **Deputy Jack Wall** asked the Minister for Social and Family Affairs if a person (details supplied) in County Kildare will receive a contribution towards funeral expenses under the supplementary welfare allowance scheme; and if she will make a statement on the matter. [6120/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Appeals.

425. **Deputy Seán Sherlock** asked the Minister for Social and Family Affairs if a decision on a carer's allowance appeal has been made in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [6123/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

426. **Deputy Dan Neville** asked the Minister for Social and Family Affairs if an application for illness benefit that is on appeal will be dealt with in respect of a person (details supplied) in County Limerick. [6126/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Insurance.

427. **Deputy Ciarán Lynch** asked the Minister for Social and Family Affairs if she will investigate the return of social insurance contributions made in error in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [6137/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

428. **Deputy Brendan Howlin** asked the Minister for Social and Family Affairs when an application for jobseeker's allowance was received in her Department in respect of a person (details supplied) in County Wexford; if an entitlement to a payment has been established; when the person will receive payment of an entitlement; and if she will make a statement on the matter. [6138/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

Consultancy Contracts.

429. **Deputy Joe McHugh** asked the Minister for Social and Family Affairs the companies that have been granted contracts for projects worth more than €10 million in the period 2000 to 2010. [6151/10]

452. **Deputy Joe McHugh** asked the Minister for Social and Family Affairs the companies that have been granted contracts for projects worth more than €15 million in the period 2000 to date in 2010. [6323/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): I propose to take Questions Nos. 429 and 452 together.

Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

430. **Deputy Thomas Byrne** asked the Minister for Social and Family Affairs the position regarding an application for family income supplement in respect of a person (details supplied) in County Meath. [6160/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

431. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the position regarding an application for household benefits in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6171/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Consultancy Contracts.

432. **Deputy Damien English** asked the Minister for Social and Family Affairs the number of external consultants currently working for or in her Department; the work they are carrying out; and if she will make a statement on the matter. [6205/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Departmental Funding.

433. **Deputy Martin Ferris** asked the Minister for Social and Family Affairs if she will reverse the €32,000 cut in provision to a community centre (details supplied) in County Kerry. [6240/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

434. **Deputy Frank Feighan** asked the Minister for Social and Family Affairs the position regarding the case of a person (details supplied) in County Roscommon. [6250/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

435. **Deputy Joe McHugh** asked the Minister for Social and Family Affairs if her attention has been drawn to individuals to whom bench warrants have been issued and are still outstanding who continue to claim social welfare; and if she will make a statement on the matter. [6268/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): A person who fulfils all of the statutory provisions for a given contingency based social welfare scheme is entitled to that payment for the duration of the period they continue to satisfy those requirements. In addition, the Supplementary Welfare Allowance scheme provides support for persons who are unable to meet their needs. If entitlement to this payment was to be removed, this would mean that the welfare system would not be in a position to provide support to a person even when they were unable to meet their basic needs in a given period. Such a step would represent a major change to the underlying principles of the SWA scheme.

In cases initiated for legal proceedings by the Department reviews are carried out on a regular basis by the Department's Central Prosecution Service where there are bench warrants outstanding. Where the Department is aware that the client has a new address or has applied/re-applied for a social welfare payment, his/her address is conveyed to the local state solicitor who in turn notifies the local Garda Superintendent's Office. The execution of the bench warrant is a matter for the Gardaí.

Social Welfare Code.

436. **Deputy Jan O'Sullivan** asked the Minister for Social and Family Affairs the way a father can be the parent who receives child benefit in a situation where the mother of the child agrees to this and where the parents live together; and if she will make a statement on the matter. [6270/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Child benefit is payable to the person with whom a qualified child normally resides. The detailed rules in relation to 'normal residence' as set out in article 159 of the Social Welfare (Consolidated Claims, Payments and Control) Regulations, 2007. In summary, child benefit is normally payable to the *mother* (or stepmother). However, where the child is living full-time with the father (or stepfather) only, then child benefit will be payable to the father. Where the parents reside in separate households child benefit is payable to the parent with whom the child resides the majority of the time.

There are very few child benefit claims in payment to the father in situations where the parents live together. (Approx. 40-50) These payments are made in circumstances such as where the mother is terminally ill or is an alcoholic or drug addict. Since June 2008, with the introduction of EIT payments, this is facilitated by issuing a letter to the spouse allowing him to collect the payments at the Post Office using the mother's Social Services Card. He has to produce this letter and the SS card at the Post Office in order to collect the payment. In EFT cases, the spouse would normally have access to the bank account or the mother would agree to transfer the payment to his account.

Social Welfare Benefits.

437. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of persons who received supplementary welfare allowance in the expectation that their disability

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benefit claim, when processed, would be awarded but subsequently, whose claim was refused when assessed; the value of such claims for 2007, 2008 and 2009; and if she will make a statement on the matter. [6272/10]

438. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of persons who received supplementary welfare allowance in the expectation that their jobseeker's allowance claim, when processed, would be awarded but subsequently, whose claim was refused when assessed; the value of such claims for 2007, 2008 and 2009; and if she will make a statement on the matter. [6273/10]

439. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of people who received supplementary welfare allowance in the expectation that their jobseeker's benefit claim, when processed, would be awarded but subsequently, whose claim was refused when assessed; the value of such claims for 2007, 2008 and 2009; and if she will make a statement on the matter. [6274/10]

440. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of persons who received supplementary welfare allowance in the expectation that their disability allowance claim, when processed, would be awarded but subsequently, whose claim was refused when assessed; the value of such claims for 2007, 2008 and 2009; and if she will make a statement on the matter. [6275/10]

441. **Deputy Olwyn Enright** asked the Minister for Social and Family Affairs the number of persons who received supplementary welfare allowance in the expectation that their one parent family allowance claim, when processed, would be awarded but subsequently, whose claim was refused when assessed; the value of such claims for 2007, 2008 and 2009; and if she will make a statement on the matter. [6276/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): I propose to take Questions Nos. 437 to 441, inclusive, together.

Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Code.

442. **Deputy Seán Ardagh** asked the Minister for Social and Family Affairs the age limit and conditions for qualification for receipt of child benefit; if there are allowances for families in receipt of welfare payments or family income supplement; and if she will make a statement on the matter. [6282/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Child Benefit is payable to the parents or guardians of children under 16 years of age, or under 18 years of age if the child is in full-time education, undertaking FÁS Youthreach training or has a disability.

Qualifying Conditions

The child must be a qualified child. The applicant must be a qualified person. To qualify for Child Benefit the applicant must satisfy the Habitual Residence Condition.

Qualified Child

A child is a qualified child for Child Benefit if s/he is:

- Under 16 years of age;
- Aged 16, 17 or 18 and either in full-time education or incapable of self-support by reason of long-term physical or mental disability;
- Ordinarily resident in the State;
- Not detained in a reformatory, industrial school or in legal custody.

Full-Time Education

This involves attending on a full-time basis a course of full-time instruction by day at an institute of education. This does *not* include courses:

- a. run by FÁS if an allowance is payable (other than “Youthreach” courses).
- b. which form part of an employment or apprenticeship or work experience programme.
- c. which arise from employment.
- d. where the period of paid work experience exceed the time spent in the classroom.
- e. run by Teagasc where, in an academic year, the period of work experience exceeds the time spent in the classroom.

School Holidays

A child will be regarded as continuing to receive full-time education for periods during the academic year where the school is closed due to holidays or other temporary interruptions.

Disability

If a child over 16 and under 19 is medically certified as incapable of self-support by reason of physical or mental disability, and is likely to remain so for a prolonged period, the child is a qualified child for child benefit purposes. The Deciding Officer will seek the advice of the Chief Medical Officer as to the acceptability of the certification.

Residence of the Child

The child must be ordinarily resident in the State. This requirement is deemed to be satisfied in cases of:

- members of the Irish Defence Forces or the Irish Civil Service serving abroad,
- volunteer development workers, or
- persons temporarily employed abroad by an Irish employer and paying Irish social insurance contributions.

Changes to the age criteria for Child Benefit were introduced in Budget 2009. From January 2010, payment of Child Benefit will cease when the child reaches 18. A compensatory payment will be paid during 2010 to certain families with children aged 18 in full time education or with a disability. This payment is made to families whose child(ren) aged 18 are getting a Disability Allowance or if:

- In receipt of a social welfare payment which includes an increase for the child aged 18;

[Deputy Mary Hanafin.]

- In receipt of Family Income Supplement.

The compensatory payment is €15 per week and will be paid on the 3rd Monday of each month by the Child Benefit section. Budget 2010 revised downwards the rates of payment of Child Benefit. In compensation for this reduction, an increase of €3.80 per week in Qualified Child Increase for people who are dependent on a weekly social welfare payment was also introduced, thereby ensuring that overall child related payments to these customers remained the same. Further information is available on my Department's website, *www.welfare.ie*.

Social Welfare Appeals.

443. **Deputy Mattie McGrath** asked the Minister for Social and Family Affairs when a decision will be made on a social welfare appeal in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [6284/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

444. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs if once off exceptional needs payment will be made to alleviate hardship in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6287/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

445. **Deputy Paul Kehoe** asked the Minister for Social and Family Affairs when a person (details supplied) will receive their unemployment allowance. [6290/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

446. **Deputy Bernard Allen** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Cork has being refused illness benefit, disablement benefit and disability allowance. [6297/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Employment Support Services.

447. **Deputy Michael Ring** asked the Minister for Social and Family Affairs the assistance available to self-employed persons who are struggling yet wish to continue in self-employment due to future contract plans; and if she will make a statement on the matter. [6301/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The supplementary welfare allowance (SWA) scheme is administered on behalf of the department by the community welfare division of the Health Service Executive (HSE). A person may qualify for basic supplementary welfare allowance:

- if s/he is living in the State;

- satisfies a means test;
- has applied for any other benefit or allowances s/he may be entitled to, for example, one-parent family payment, jobseeker's allowance;
- has registered for work with FÁS if s/he are of working age;
- satisfies the habitual residence condition (HRC).

A person will not normally qualify for Supplementary Welfare Allowance if they are:

- in full time education;
- in full time work, that is working for more than 30 hours per week;
- involved in a trade dispute.

Claims under the Supplementary Welfare Allowance (SWA) scheme, which includes the Mortgage Interest Supplement Scheme, are dealt with by the Community Welfare Service of the Health Service Executive. Each claim under the SWA scheme is decided by the Community Welfare Officer based on the particular circumstances of each case. A person who is not satisfied with the decision of the Community Welfare Officer can appeal the decision to the HSE Appeals Office. The person, if not satisfied with the decision of the HSE Appeals Office may make a further appeal to the Social Welfare Appeals Office in most instances.

In relation to jobseekers allowance a self-employed person is not required to cease trading before they can qualify for jobseekers allowance. A self-employed person can apply for Jobseekers Allowance if their business ceases or if their income falls as a result of a downturn in demand for their services. Jobseekers allowance is a means-tested payment and any person who satisfies the means test and the other conditions of entitlement will qualify for a payment. As with claims under the Supplementary Welfare Allowance scheme it is open to an individual, if he or she is dissatisfied with a decision made on their jobseekers allowance claim to appeal the decision. In the case of jobseekers allowance claims, the appeal can be made to the Social Welfare Appeals Office.

Family income supplement (FIS) is designed to provide income support for employees on low earnings with families. This preserves the incentive to remain in employment in circumstances where the employee might only be marginally better off than if he or she were unemployed and claiming other social welfare payments. Self employed people do not qualify for FIS. Any extension of FIS to other categories of persons such as self-employed persons would have to be considered in a budgetary context. There are no plans for such an extension in present circumstances.

Social Welfare Benefits.

448. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the position regarding a rent allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6304/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

449. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the basis on which non-national parents are being selected for the three monthly checks on child benefit;

[Deputy Róisín Shortall.]

and if parents are selected on the basis of their surname or nationality details held by her Department. [6305/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The Child Benefit (CB) scheme has, in recent years, experienced significant expansion in the volume of claims received, the rates of payment and the diversity of the customer base. The primary reason for the various types of review is to ensure that CB customers are made aware of their obligations with regard to their continued entitlement. A fraud and error survey on child benefit highlighted in the case of 500 Irish Nationals surveyed, the extent of fraud that arose was 1.7% as compared to 13.9% in the case of 500 non-Irish Nationals surveyed, giving an overall level of fraud of 2.3% when weighted against the scheme client base.

The control policy for the child benefit scheme was reviewed to ensure that controls against fraud and abuse of the scheme continue to be effective and relevant. As a result of this review, enhanced and updated control measures have been devised, which include the automated issue of forms (certificates) to sub-sets of selected groups of customers for completion to confirm they continue to satisfy the conditions for receipt of Child Benefit. Employment certificates are issued every three months, to everyone paid under EU regulation 1408/71, irrespective of nationality (and including Irish nationals), to ensure that such customers continue to qualify for Child Benefit from this State. Residency certificates are issued every three months to all non-Irish national claimants, living with their children in Ireland and to all nationalities who are paid Irish Child Benefit based on their entitlements under EU regulation 1408/71. Information on a customer's nationality is provided by the customer.

450. **Deputy Paul Kehoe** asked the Minister for Social and Family Affairs when a person (details supplied) will receive their child benefit. [6307/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

451. **Deputy Edward O'Keefe** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Cork is receiving a reduced rate of disability allowance. [6309/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Question No. 452 answered with Question No. 429.

453. **Deputy Michael Creed** asked the Minister for Social and Family Affairs when a person (details supplied) in County Cork will receive child benefit; and if she will make a statement on the matter. [6330/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

454. **Deputy Jack Wall** asked the Minister for Social and Family Affairs if a person (details supplied) in County Kildare will qualify for a free travel pass; and if she will make a statement on the matter. [6332/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Pension Provisions.

455. **Deputy Dan Neville** asked the Minister for Social and Family Affairs if old age contributory pension will be processed in respect of a person (details supplied) in County Limerick. [6337/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

456. **Deputy Denis Naughten** asked the Minister for Social and Family Affairs when a decision will issue on an application for State contributory pension in respect of a person (details supplied); the reason for the delay; and if she will make a statement on the matter. [6338/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

457. **Deputy Paul Kehoe** asked the Minister for Social and Family Affairs the reason social welfare allowance has ceased in respect of a person (details supplied). [6339/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

458. **Deputy Pat Breen** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Clare is not in receipt of schemes; and if she will make a statement on the matter. [6343/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

459. **Deputy Noel J. Coonan** asked the Minister for Social and Family Affairs when an application for invalidity allowance will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [6345/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

460. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when an application for disability allowance will be awarded and paid in respect of a person (details supplied) in County Mayo. [6350/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

461. **Deputy Willie Penrose** asked the Minister for Social and Family Affairs if she will expedite a jobseeker's allowance application in respect of a person (details supplied) in County Westmeath; and if she will make a statement on the matter. [6374/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Appeals.

462. **Deputy Brian O'Shea** asked the Minister for Social and Family Affairs the position regarding an invalidity pension appeal in respect of a person (details supplied) in County Waterford; and if she will make a statement on the matter. [6375/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

463. **Deputy Emmet Stagg** asked the Minister for Social and Family Affairs the reason for the delay in awarding carer's allowance in respect of a person (details supplied) in County Kildare. [6376/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

464. **Deputy Eamon Scanlon** asked the Minister for Social and Family Affairs the position regarding an application for child benefit in respect of a person (details supplied) in County Sligo; and if she will make a statement on the matter. [6377/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

Social Welfare Code.

465. **Deputy Beverley Flynn** asked the Minister for Social and Family Affairs the years that self-employed contributions were paid retrospectively by a person (details supplied) in County Mayo; the way income earned by a spouse of a contributory pension recipient working as a home help for the Health Service Executive is treated when considering an application for an adult dependent allowance. [6378/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide information sought by the Deputy.

Social Welfare Benefits.

466. **Deputy Paul Kehoe** asked the Minister for Social and Family Affairs the reason social welfare allowance has ceased in respect of a person (details supplied) and when it will be reinstated. [6379/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

467. **Deputy Noel Ahern** asked the Minister for Social and Family Affairs the position regarding a person (details supplied); if all entitlements and payments are currently being made to them; if child benefit is being awarded for three children; if it is nominally in the person's name and if payment can be made direct to them as they are currently not in receipt of same; if child dependant allowance for each of the three children is being awarded; if so, if payment can be made direct to them as they are currently not receiving same; and if the person is in receipt of the household benefits package and fuel allowance. [6387/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

468. **Deputy Noel Ahern** asked the Minister for Social and Family Affairs the position regarding an unemployment benefit application in respect of a person (details supplied) who is seeking to have their application backdated. [6388/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

469. **Deputy Mary Upton** asked the Minister for Social and Family Affairs if a person (details supplied) in Dublin 12 is in receipt of their correct payments and entitlements; and if she will make a statement on the matter. [6393/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

470. **Deputy Fergus O'Dowd** asked the Minister for Social and Family Affairs if an application for one parent family payment will be expedited in respect of a person (details supplied) in County Louth; and if she will make a statement on the matter. [6398/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Pension Provisions.

471. **Deputy Seán Sherlock** asked the Minister for Social and Family Affairs her views on the decision to rescind the contributory pension of self-employed spouses working on the farm who had successfully applied for a contributory pension on the basis of the existence of a partnership. [6399/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide information sought by the Deputy.

Social Welfare Appeals.

472. **Deputy Darragh O'Brien** asked the Minister for Social and Family Affairs the position regarding an appeal on a decision for disability benefit in respect of a person (details supplied) in County Dublin; when the decision on the appeal will be completed; the reason this person is forced to appeal a decision based on the lack of knowledge of their condition; and if she will make a statement on the matter. [6400/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

473. **Deputy P. J. Sheehan** asked the Minister for Social and Family Affairs when a person (details supplied) in County Cork will receive a decision on their appeal against refusal of their application for jobseeker's allowance; and if she will make a statement on the matter. [6445/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

474. **Deputy P. J. Sheehan** asked the Minister for Social and Family Affairs when a person (details supplied) in County Cork will have their application for carer's allowance processed; and if she will make a statement on the matter. [6446/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Pension Provisions.

475. **Deputy P. J. Sheehan** asked the Minister for Social and Family Affairs when a person (details supplied) in County Cork will have their application for non-contributory State pension processed which they submitted in April 2009; when they will be informed of a decision; and if she will make a statement on the matter. [6447/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

476. **Deputy James Bannon** asked the Minister for Social and Family Affairs, further to Parliamentary Question No. 524 of 2 February 2010, when the information requested will be supplied to this Deputy. [6450/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Health and Safety Regulations.

477. **Deputy Aengus Ó Snodaigh** asked the Minister for Social and Family Affairs if all the portable electrical equipment in her Department and subsidiary or grant aided companies have portable appliance test certificates as required by the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007; if not, the reason for same; if her attention has been drawn to the fact that a PAT must be carried out on all moveable electrical equipment in offices, centres and so on, to ensure the safety and welfare of both employees and employers; if her further attention has been drawn to the fact that records of all such tests must be kept for at least five years to allow the Health and Safety Authority to carry out random spot checks and that insurance companies and underwriters are already seeking proof of compliance prior to renewal of policies; and if she will make a statement on the matter. [6462/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): The statutory requirement is that equipment "exposed to conditions causing deterioration liable to result in danger" and with a rated voltage exceeding 125 volts, requires testing. Typical office equipment used in the Department would not fit into this category. The Department has the matter under review, however, having regard to the degree of risk involved and will put a more formal system of inspection in place if this is proven to be necessary. In the meantime, the Department has in place a system of risk assessment designed to identify at an early stage equipment which is not fit for purpose and which should either be taken completely out of service or repaired.

With regard to agencies operating under the aegis of the Department or entities to which it gives grant aid, implementation of the provisions of the regulation is a matter for the relevant agencies as part of their normal operational activities. In accordance with Department of Fin-

ance Public Financial Procedures, the Exchequer carries its own insurance and the State Claims Agency manages delegated claims and counterclaims on behalf of the Department.

Social Welfare Benefits.

478. **Deputy John Deasy** asked the Minister for Social and Family Affairs the reason for the delay in the payment of child benefit in respect of a person (details supplied) in County Waterford; when the payment will be awarded; and if she will make a statement on the matter. [6469/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

479. **Deputy Mattie McGrath** asked the Minister for Social and Family Affairs when a decision will be made on a disability allowance application in respect of a person (details supplied) in County Tipperary; the reason for the delay. [6476/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

480. **Deputy Michael McGrath** asked the Minister for Social and Family Affairs when a decision is expected to issue in respect of an application for invalidity pension by a person (details supplied) in County Cork. [6483/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Code.

481. **Deputy Richard Bruton** asked the Minister for Social and Family Affairs the date from which the restrictions on eligibility for treatment benefit will apply during 2010. [6500/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Changes to the Treatment Benefit scheme were announced in Budget 2010. From 1st January 2010, treatments available under the scheme are limited to a free Optical and Dental examination together with the payments previously available under the medical appliance scheme, namely grants towards the purchase of hearing aids and contact lenses required for medical reasons. People who, at 31st December 2009, were undergoing a course of treatment or who had applied for approval to commence treatment, will have their applications for optical and dental benefit processed under the rules which operated prior to January 1st 2010.

Social Welfare Benefits.

482. **Deputy Phil Hogan** asked the Minister for Social and Family Affairs when a refund will be made in respect of a person (details supplied) in County Kilkenny under the back to work scheme; and if she will make a statement on the matter. [6601/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

483. **Deputy Damien English** asked the Minister for Social and Family Affairs when a decision will be made on an application for disability allowance in respect of a person (details supplied) in County Meath that was submitted in May 2009; the reason for the delay; and if she will make a statement on the matter. [6607/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Pension Provisions.

484. **Deputy Thomas Byrne** asked the Minister for Social and Family Affairs the position regarding an application for State pension in respect of a person (details supplied) in County Meath. [6608/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

485. **Deputy Thomas Byrne** asked the Minister for Social and Family Affairs the position regarding a review of an application for pension in respect of a person (details supplied) in County Meath. [6609/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide information sought by the Deputy.

Social Welfare Benefits.

486. **Deputy Thomas Byrne** asked the Minister for Social and Family Affairs the position regarding an application for family income supplement in respect of a person (details supplied) in County Meath. [6610/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

487. **Deputy Dan Neville** asked the Minister for Social and Family Affairs if she will make a statement on the case of a person (details supplied) in County Limerick. [6613/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

488. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the position regarding a jobseeker's allowance application in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6615/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

489. **Deputy Jan O'Sullivan** asked the Minister for Social and Family Affairs the number of persons in receipt of family income supplement at the most recent date for which statistics are available; and if she will make a statement on the matter. [6618/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

490. **Deputy Jan O'Sullivan** asked the Minister for Social and Family Affairs the number of persons who are currently waiting to have an application for jobseeker's benefit processed; and if she will make a statement on the matter. [6619/10]

491. **Deputy Jan O’Sullivan** asked the Minister for Social and Family Affairs the number of persons waiting to have their applications for jobseeker’s allowance processed; and if she will make a statement on the matter. [6620/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): I propose to take Questions Nos. 490 and 491 together.

Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Appeals.

492. **Deputy Jimmy Deenihan** asked the Minister for Social and Family Affairs when a decision will be made on a carer’s allowance appeal in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [6624/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

493. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the position regarding an appeal against the decision for back to education allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6631/10]

517. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the position regarding an appeal for domiciliary care in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6728/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): I propose to take Questions Nos. 493 and 517 together.

Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

494. **Deputy Fergus O’Dowd** asked the Minister for Social and Family Affairs the assistance that will be given to a person (details supplied) in County Meath; if their application for back to education allowance will be reviewed; and if she will make a statement on the matter. [6654/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide information sought by the Deputy.

495. **Deputy Michael Noonan** asked the Minister for Social and Family Affairs the reason child benefit has not been awarded in respect of a person (details supplied) in County Limerick; and if she will make a statement on the matter. [6656/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Appeals.

496. **Deputy Martin Ferris** asked the Minister for Social and Family Affairs if a person (details supplied) has been successful in their appeal. [6668/10]

497. **Deputy Martin Ferris** asked the Minister for Social and Family Affairs if a person (details supplied) has been successful in their appeal. [6669/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): I propose to take Questions Nos. 496 and 497 together.

Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

498. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when a job-seeker's allowance claim will be finalised in respect of a person (details supplied) in County Mayo. [6670/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

499. **Deputy Brendan Howlin** asked the Minister for Social and Family Affairs when an application for child benefit was received from a person (details supplied) in County Wexford whose spouse has lived here for approximately five years; if the application has been processed to completion; and if she will make a statement on the matter. [6671/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

500. **Deputy Michael McGrath** asked the Minister for Social and Family Affairs when a person (details supplied) in County Cork last applied for the household benefits package; and the reason the application was refused. [6673/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Pension Provisions.

501. **Deputy Michael McGrath** asked the Minister for Social and Family Affairs the position regarding the calculation of contributory State pension entitlement in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [6674/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Appeals.

502. **Deputy Michael McGrath** asked the Minister for Social and Family Affairs the position regarding a respite care grant appeal in respect of a person (details supplied) in County Cork. [6675/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

503. **Deputy Denis Naughten** asked the Minister for Social and Family Affairs when payment

will issue in respect of a person (details supplied); the reason for delay in same; and if she will make a statement on the matter. [6677/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

504. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the reason a split child benefit payment cannot be accommodated in the circumstances where estranged parents have joint custody of a child; the specific statutory provision which sets down that the payment must be provided to the mother in these circumstances; her views on whether this is consistent with equality legislation; if she will intervene in the case of a person (details supplied) in County Donegal to ensure that a split payment is provided; and if she will make a statement on the matter. [6681/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

505. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Kildare is not in receipt of a fuel allowance in view of the fact that their spouse is also in receipt of a social welfare payment; and if she will make a statement on the matter. [6683/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Code.

506. **Deputy Emmet Stagg** asked the Minister for Social and Family Affairs if it is possible for a person to claim family income supplement as well as jobseeker's benefit, where the person is on a three day week and works three days and receives jobseeker's benefit for the other three days. [6684/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

507. **Deputy Fergus O'Dowd** asked the Minister for Social and Family Affairs when a decision will be expected regarding an application for jobseeker's payment in respect of a person (details supplied) in County Louth; and if she will make a statement on the matter. [6690/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

508. **Deputy Michael Creed** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Cork has not received child benefit for the month of February 2010; and if she will make a statement on the matter. [6696/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

509. **Deputy Charles Flanagan** asked the Minister for Social and Family Affairs when a person (details supplied) in County Laois can expect to be granted their one parent family allowance; and if she will make a statement on the matter. [6697/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

510. **Deputy Denis Naughten** asked the Minister for Social and Family Affairs when a payment will be restored in respect of a person (details supplied) in County Roscommon; and if she will make a statement on the matter. [6699/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

511. **Deputy Jack Wall** asked the Minister for Social and Family Affairs the position regarding an application for an invalidity pension in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6701/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

512. **Deputy Fergus O'Dowd** asked the Minister for Social and Family Affairs the position regarding an application for child benefit in respect of a person (details supplied) in County Louth; and if she will make a statement on the matter. [6709/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

513. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when an illness benefit payment in respect of a person (details supplied) in County Mayo will be restored. [6710/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

514. **Deputy Paul Kehoe** asked the Minister for Social and Family Affairs when a decision will issue on an application for family income supplement in respect of a person (details supplied). [6716/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

515. **Deputy Edward O'Keeffe** asked the Minister for Social and Family Affairs the position regarding an application for carer's allowance in respect of persons (details supplied) in County Cork. [6726/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

516. **Deputy Edward O'Keeffe** asked the Minister for Social and Family Affairs if a person (details supplied) in County Cork has repaid an overpayment. [6727/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

Question No. 517 answered with Question No. 493.

Pension Provisions.

518. **Deputy Michael Ring** asked the Minister for Social and Family Affairs when a pension officer will call to a person (details supplied) in County Mayo in relation to their claim for the State non-contributory pension and the reassessment of the farm profit. [6756/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

519. **Deputy Michael Ring** asked the Minister for Social and Family Affairs, further to Parliamentary Question No. 504 of 2 February 2010, when a reply will issue. [6757/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

520. **Deputy Michael Ring** asked the Minister for Social and Family Affairs, further to Parliamentary Question No. 430 of 2 February 2010, when a reply will issue. [6758/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

521. **Deputy Michael Ring** asked the Minister for Social and Family Affairs, further to Parliamentary Question No. 449 of 2 February 2010, when a reply will issue. [6759/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I am unable to provide the information sought by the Deputy.

522. **Deputy Paul Connaughton** asked the Minister for Social and Family Affairs when a decision will issue on an application for jobseeker's allowance in respect of a person (details supplied) in County Galway; and if she will make a statement on the matter. [6762/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

523. **Deputy Paul Connaughton** asked the Minister for Social and Family Affairs the position regarding an application for jobseeker's benefit in respect of a person (details supplied) in County Galway; and if she will make a statement on the matter. [6763/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

524. **Deputy Paul Connaughton** asked the Minister for Social and Family Affairs the position regarding an application for farm assist in respect of a person (details supplied) in County Galway; and if she will make a statement on the matter. [6765/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

525. **Deputy Mary Upton** asked the Minister for Social and Family Affairs if a person (details supplied) in Dublin 15 is in receipt of all their proper entitlements; and if she will make a statement on the matter. [6766/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

526. **Deputy Seán Fleming** asked the Minister for Social and Family Affairs when arrears of illness benefit will issue to a person (details supplied) in County Laois; and if she will make a statement on the matter. [6770/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

527. **Deputy Noel J. Coonan** asked the Minister for Social and Family Affairs when an application for jobseeker's allowance will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [6778/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

528. **Deputy Noel J. Coonan** asked the Minister for Social and Family Affairs when a State pension will be awarded to a person (details supplied) in County Tipperary; the reason for the delay in payment; and if she will make a statement on the matter. [6779/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Code.

529. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs the way income from the interest on savings is assessed in the means test for family income supplement. [6783/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

530. **Deputy Róisín Shortall** asked the Minister for Social and Family Affairs, further to Parliamentary Question No. 435 of 2 February 2010, if she is now in a position to provide an answer to the question posed. [6791/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Code.

531. **Deputy Michael McGrath** asked the Minister for Social and Family Affairs if the financial assessment of an application for family income supplement takes into account family outgoings such as mortgage payments, car loan and so forth or if it is based on gross income. [6799/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

532. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs when child benefit will be restored in the case of a person (details supplied) in County Dublin; and if she will make a statement on the matter. [6817/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Appeals.

533. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs, further to Parliamentary Question No. 440 of 26 January 2010, if an oral hearing will be granted to facilitate an appeal in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6822/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

534. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs, further to Parliamentary Question No. 435 of 26 January 2010, if this parliamentary question will be accepted as an appeal in respect of a person (details supplied) in County Kildare. [6823/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): A request to open an appeal in this case will be made to the Social Welfare Appeals Office. Whether the appeal is accepted, due to the time lapse since the decision issued in September 2009, is a matter for the Chief Appeals Officer. The Social Welfare Appeals Office is an office of the Department that is independently responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits.

535. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs if persons (details supplied) in County Kildare will qualify for family income supplement; and if she will make a statement on the matter. [6828/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide information sought by the Deputy.

536. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs if back to education allowance will be awarded in respect of a person (details supplied) in County Laois; and if she will make a statement on the matter. [6830/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide information sought by the Deputy.

Social Welfare Code.

537. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs the permissible hours of work for employment to which a person on reduced rate of one parent family

[Deputy Bernard J. Durkan.]

allowance with one child is entitled without loss of part or all of payment; and if she will make a statement on the matter. [6831/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Entitlement to One-parent Family Payment is determined based on the level of earnings from employment or self employment and not on the number of hours worked while in employment. A person receiving one-parent family payment can have earnings from employment or self employment of up to €146.50 gross per week without the income affecting the rate of their payment. S/he may earn up to €425.00 gross per week and continue to receive a reduced rate of payment, providing s/he has no other income or means. If a person is receiving One-parent Family Payment for a continuous period of at least 52 week and their weekly earnings increase to more than €425.00 per week, s/he will continue to qualify for a transitional payment equal to half of their One-parent Family Payment for a period of 6 months.

Social Welfare Benefits.

538. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs if a psychological report was taken into consideration before determination of domiciliary care application in the case of a person (details supplied) in County Kildare; if this file be reviewed at an early date. [6832/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

539. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs when full rate of child benefit will be awarded in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6833/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Appeals.

540. **Deputy Seán Ó Fearghaíl** asked the Minister for Social and Family Affairs when an appeal in respect of a person (details supplied) in County Kildare will be finalised; and if she will make a statement on the matter. [6841/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

541. **Deputy Michael Ring** asked the Minister for Social and Family Affairs if she will investigate the reason incorrect information was given out in response to a previous parliamentary question (details supplied). [6851/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

542. **Deputy John O'Mahony** asked the Minister for Social and Family Affairs the social welfare entitlements of a person (details supplied) in County Mayo. [6853/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

543. **Deputy John O'Donoghue** asked the Minister for Social and Family Affairs when a person (details supplied) in County Kerry will be advised of the outcome of their application for household benefits; and if she will make a statement on the matter. [6858/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

544. **Deputy John O'Donoghue** asked the Minister for Social and Family Affairs when a decision will issue on an application for increased disability benefit in respect of a person (details supplied) in County Kerry. [6860/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

545. **Deputy Dan Neville** asked the Minister for Social and Family Affairs the position regarding the case of a person (details supplied) in County Limerick; and if she will make a statement on the matter. [6951/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide information sought by the Deputy.

Social Welfare Appeals.

546. **Deputy John McGuinness** asked the Minister for Social and Family Affairs if she will expedite an appeal for increased rent allowance in respect of a person (details supplied) in County Kilkenny. [6959/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Social Welfare Benefits.

547. **Deputy Willie Penrose** asked the Minister for Social and Family Affairs when it is envisaged that appropriate arrears in relation to the underpayment for a period will be awarded in respect of a person (details supplied) in County Westmeath; and if she will make a statement on the matter. [7003/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide information sought by the Deputy.

548. **Deputy Willie Penrose** asked the Minister for Social and Family Affairs the steps she will take to expedite an application for jobseeker's allowance in respect of a person (details supplied) in County Westmeath; when a decision will be made; and if she will make a statement on the matter. [7004/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide information sought by the Deputy.

549. **Deputy Willie Penrose** asked the Minister for Social and Family Affairs the steps she will take to have an application for jobseeker's allowance reviewed in respect of a person (details supplied) in County Westmeath; and if she will make a statement on the matter. [7005/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide information sought by the Deputy.

550. **Deputy Willie Penrose** asked the Minister for Social and Family Affairs the reason a person (details supplied) in County Westmeath has not been awarded illness benefit in view of the fact that they have submitted consistent, detailed and comprehensive medical evidence in relation to their claim; and if she will make a statement on the matter. [7006/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

551. **Deputy Willie Penrose** asked the Minister for Social and Family Affairs if she will expedite an application for carer's allowance in respect of a person (details supplied) in County Westmeath; and if she will make a statement on the matter. [7007/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

552. **Deputy Willie Penrose** asked the Minister for Social and Family Affairs the steps she will take to expedite an application for jobseeker's allowance in respect of a person (details supplied) in County Westmeath; when a decision will be made; and if she will make a statement on the matter. [7008/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Departmental Programmes.

553. **Deputy Fergus O'Dowd** asked the Minister for Social and Family Affairs the number of civil and public servants that have signed up for the cycle to work scheme; the cost of the scheme to date in 2010. [7579/10]

Minister for Social and Family Affairs (Deputy Mary Hanafin): Due to staff action currently being taken, I regret that I am unable to provide the information sought by the Deputy.

Departmental Procurement.

554. **Deputy Joe McHugh** asked the Minister for Defence the companies that have been granted contracts for projects worth more than €10 million in the period 2000 to 2010. [6143/10]

556. **Deputy Joe McHugh** asked the Minister for Defence the companies that have been granted contracts for projects worth more than €15 million in the period 2000 to date in 2010. [6315/10]

Minister for Defence (Deputy Willie O'Dea): I propose to take Questions Nos. 554 and 556 together.

Details of all contracts in excess of €10 million in value awarded by my Department in the period 2000 to date are set out below.

Year	Name of Company	Project	Contract value, inclusive of VAT.
			€m
2000	Appledore Shipbuilders Ltd., UK	Purchase of new Naval Service Ship — LE Niamh.	25.0
2002	Mowag GmbH, Switzerland.	Purchase of Armoured Personnel Carriers.	33.2
2003	Bombardier Aerospace, USA.	Purchase of Learjet.	10.1
	Pilatus Aircraft Limited, Switzerland.	Purchase of Trainer aircraft.	60.1
	Eurocopter, Germany.	Purchase of 2 Helicopters.	12.8
	Raytheon Lockheed Martin, USA.	Weapon system.	12.5
2005	Bell/Agusta Aerospace Corporation, Italy.	Purchase of 4 Helicopters.	48.4
	Mowag GmbH, Switzerland.	Purchase of Armoured Personnel Carriers.	36.5
2006	EADS Casa, Spain.	Upgrade on 2 Casa Maritime Patrol aircraft.	16.5
	Bell/Agusta Aerospace Corporation, Italy.	Purchase of 2 Helicopters.	25.8
2008	BAE Systems Land Systems OMC, South Africa.	Light Tactical Armoured Vehicles.	19.5

Consultancy Contracts.

555. **Deputy Damien English** asked the Minister for Defence the number of external consultants currently working for or in his Department; the work they are carrying out; and if he will make a statement on the matter. [6197/10]

Minister for Defence (Deputy Willie O’Dea): The information sought is set out below:

1. Magnum Opus is currently working for my Department providing project support services for the National Emergency Coordination Centre which is managed by the Office of Emergency Planning.
2. FGC Consulting was engaged by my Department to undertake a Value for Money Review of Military Training Lands. The draft report is currently being finalised and upon subsequent completion of the Quality Assurance process, the report will be published.
3. Fujitsu (Ireland) is engaged by my Department to supply consultancy and maintenance services for the organization’s Oracle eBusiness Suite and related applications. The consultants provide ongoing analysis and development resources to build enhancements to the core suite. The contract will end on December 31st 2010.
4. Colonel E.V. Campion, (Rtd.) is a member of the Army Equitation School’s Horse Purchase Board and he offers expert advice to the Board in their deliberations following the inspection of horses that are being considered for purchase.

Question No. 556 answered with Question No. 554.

Defence Forces Property.

557. **Deputy Brian O’Shea** asked the Minister for Defence if the Curragh prison was recently reopened for military prisoners; and if he will make a statement on the matter. [6385/10]

Minister for Defence (Deputy Willie O’Dea): The Curragh Place of Detention was used by the Department of Justice, Equality and Law Reform for civilian purposes from 1996 to 2003. The facility was returned to the Department of Defence in 2008. While it has been available as a military detention facility since November 2009, no military prisoner has been detained in the facility to date.

Health and Safety Regulations.

558. **Deputy Aengus Ó Snodaigh** asked the Minister for Defence if all the portable electrical equipment in his Department and in the Defence Forces have portable appliance test certificates as required by the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007; if not, the reason for same; if his attention has been drawn to the fact that a PAT must be carried out on all moveable electrical equipment in offices, centres and so on, to ensure the safety and welfare of both employees and employers; if his further attention has been drawn to the fact that records of all such tests must be kept for at least five years to allow the Health and Safety Authority to carry out random spot checks and that insurance companies and underwriters are already seeking proof of compliance prior to renewal of policies; and if he will make a statement on the matter. [6460/10]

Minister for Defence (Deputy Willie O’Dea): It is the policy of my Department and the Defence Forces to comply with the Safety, Health and Welfare at Work Act 2005 and the Safety, Health and Welfare at Work (General Application) Regulations 2007, S.I. No. 299 of 2007. Monthly safety inspections in all places of work are conducted at Unit level in the Defence Forces and where repairs/works are identified the issue is brought to the attention of higher commanders for resolution. Currently the Defence Forces are conducting Workshop Risk Reviews in all formations of fixed electrical equipment operated in Defence Forces workshops.

As part of the Works Programme for 2010 a programme for the inspection, by a competent person, of Portable Electrical Equipment will be conducted in accordance with Regulation 81 of the Safety, Health and Welfare at Work (General Application) Regulations 2007 S.I. No. 299 of 2007 and the Guide to the Maintenance, Inspection and Testing of Portable Equipment (Electrical Appliances and Tools) in the workplace (ET 215:2008) as issued by Electro-Technical Council of Ireland. In addition to internal monitoring the State Claims Agency conducts annual audits, to OHSAS 18001: 2007 standard, on all Formation HQ’s and twelve randomly selected Units throughout the Defence Forces annually.

Defence Forces Property.

559. **Deputy Bernard J. Durkan** asked the Minister for Defence if adequate time will be provided to find alternative accommodation in the case of a person (details supplied) in County Kildare who has recently received Notice of Eviction; and if he will make a statement on the matter. [6819/10]

Minister for Defence (Deputy Willie O’Dea): A limited number of Married Quarters are available for serving members of the Permanent Defence Force. Defence Forces Regulations specify that the quarters must be vacated within 15 days of leaving the service. It is the policy of my Department that the use of Married Quarters should be discontinued in a managed and orderly fashion. This person referred to in the Deputy’s question is not, and never has been, a member of the Permanent Defence Force. In the circumstances, my Department wrote to him recently requesting him to vacate the premises and to make his own arrangements for alterna-

tive living accommodation. Whilst it is essential that the quarters be vacated, the Department is prepared to allow a reasonable period of time for the individual in question to make alternative arrangements.

Departmental Programmes.

560. **Deputy Fergus O'Dowd** asked the Minister for Defence the number of civil and public servants that have signed up for the cycle to work scheme; the cost of the scheme to date in 2010. [7571/10]

Minister for Defence (Deputy Willie O'Dea): 25 members of staff of my Department and 757 members of the Defence Forces have signed up for the cycle to work scheme. There is no discernible cost to this Department's vote in administering the cycle to work scheme. The bicycles and equipment are paid for by way of salary sacrifice by those acquiring the bicycles. There would be minor costs in administering the scheme and in carrying the up-front costs until such time as those are offset by the gradual deductions from salary. Neither of these are of such significance that would warrant quantification.

Social and Affordable Housing.

561. **Deputy Pádraic McCormack** asked the Minister for the Environment, Heritage and Local Government the position regarding social housing through long-term leasing in rented accommodation; the level at which the leasing arrangements will be set; if the person occupying the house will still remain on the housing waiting list, when the properties are advertised; and if he will make a statement on the matter. [6133/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): The intention of the Social Housing Leasing Initiative is to widen the range of supply options available to authorities to meet housing need and to maximise the level of social housing that can be delivered from within available public resources. Under the initiative housing authorities and approved housing bodies can procure properties on long term leases of 10 to 20 years in order to meet housing need.

The procedure for allocating units acquired under the leasing initiative will be the standard allocations procedure used for the letting of any local authority housing — the local authority's "Scheme of Letting Priorities." The only exception to this will be where an approved housing body has agreed with the local authority to let the properties via a choice based lettings model. In these cases the approved body will advertise the leased properties to eligible households once the lease agreement has been finalised and signed. Households accommodated under the leasing arrangements, as with any social housing, will be deemed to have had their housing need met and therefore households will not remain on the local authority housing waiting lists. Notwithstanding this, households will be able to apply to transfer to alternative local authority properties, including housing provided for the Incremental Purchase Scheme.

In relation to the cost or level of payment that is allowed for under the leasing initiative, the cost to a local authority of a leased unit is determined by a variety of factors, including type and size, location and the average rent of properties in the area. The primary focus in negotiating leasing costs is the delivery of value for money and I expect that authorities should be able to secure leasing costs of at least 20% below market value. This reflects the element of risk, such as the vacancies and management and maintenance responsibilities, being transferred to the housing authority. The property owner will remain responsible for any structural matters.

Housing Grants.

562. **Deputy Finian McGrath** asked the Minister for the Environment, Heritage and Local Government if he will support the case of a person (details supplied) in Dublin 17. [6662/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): Under the terms of the Housing Adaptation Grant for People with a Disability, which is administered by the local authorities, grants of up to €30,000 may be available for the provision or adaptation of accommodation to meet the needs of people with a disability. It is a matter for individual authorities to determine what works are eligible and to prioritise them in line with their systems of prioritisation.

Departmental Programmes.

563. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government the number of employees who applied for the cycle to work scheme in his Department; if the scheme has ceased or changed as a result of budget 2010; and if he will make a statement on the matter. [7211/10]

599. **Deputy Fergus O'Dowd** asked the Minister for the Environment, Heritage and Local Government the number of civil and public servants that have signed up for the cycle to work scheme; the cost of the scheme to date in 2010. [7574/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 563 and 599 together.

A total of 63 employees in my Department have availed of the Cycle to Work Scheme since its introduction — 45 in 2009, with a further 18 availing of the scheme to date in 2010. Some €13,375 has been spent by departmental employees under the scheme to date in 2010. This amount is being recouped from the individuals concerned as a salary sacrifice under the terms of the Scheme. Tax, PRSI or income levies are not payable on this sacrificed remuneration. The scheme has not been changed as a result of Budget 2010 and will continue to operate in the Department this year.

Environmental Policy.

564. **Deputy Joe McHugh** asked the Minister for the Environment, Heritage and Local Government the funding and development options for an environmentally friendly cross-Border project (details supplied); his views that this project has commercial potential in view of the fact of its proximity to the fourth largest city here; and if he will make a statement on the matter. [6056/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I am advised that this proposal, while interesting, is not one that is normally eligible for funding by my Department. Funding is provided for projects under Interreg IV and the Peace and Reconciliation programme subject to projects meeting the criteria of the programmes. The programmes are managed by the Special EU Programmes Body. Its website, *www.seupb.org*, gives its contact details along with information on programmes and eligibility.

Local Authority Housing.

565. **Deputy Tom Hayes** asked the Minister for the Environment, Heritage and Local Government if funding will be provided in 2010 for the refurbishment of a housing estate

(details supplied) in County Tipperary; and if he will make a statement on the matter. [6060/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): My Department has recently granted approval for this project and the council may now proceed to advanced planning and tender stage. A provisional allocation of €1.5 million for 2010 has been advised to the local authority to assist in undertaking remedial works at this location.

Special Areas of Conservation.

566. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government when an application will be processed in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [6062/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Having regard to available resources, priority is being given under the bog purchase scheme to those wishing to sell their interest in the 32 raised bog sites which were nominated for designation as Special Areas of Conservation in 1999. For these sites, the ten-year derogation given by the Government, which allowed the continuation of turf cutting for personal domestic use, has now expired. The person in question owns land within a Special Area of Conservation designated in 2002, and the 10-year derogation period will not expire until 2012. Land transactions within this area, accordingly, do not qualify for priority attention at present.

Animal Welfare.

567. **Deputy Joe McHugh** asked the Minister for the Environment, Heritage and Local Government if he will reply to a submission (details supplied); if he will take cognisance of its recommendations when finalising the Dog Breeding Establishments Bill 2009; and if he will make a statement on the matter. [6081/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Dog Breeding Establishments Bill 2009 completed Second Stage in the Seanad on 3 February 2010. I have received the submissions of the animal welfare organisations to which the question refers and I will continue to consider them in the context of the Bill passing through the Houses of the Oireachtas. Regulations will be introduced following the Bill's enactment and these will set out the detailed criteria for dog breeding establishments guidelines for dog breeding establishments to meet the requirements of the legislation will be introduced by way of regulations following enactment of the Bill. The draft regulations will be subject to consultation with interested parties, including the animal welfare organisations, to meet the requirements of the legislation.

Social and Affordable Housing.

568. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government when funding will be released for a voluntary housing project (details supplied) in County Clare; and if he will make a statement on the matter. [6100/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): I recently announced funding of €157 million, under my Department's capital funding schemes for voluntary and co-operative housing, for some 75 individual

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projects at various locations around the country, including the project being advanced by Rural Resettlement Ireland at Tullycrine and Knockadereen. Clare County Council will advise the housing body with regard to the procedures for drawing down the funding in accordance with the terms and conditions of the relevant schemes.

Local Authority Housing.

569. **Deputy Finian McGrath** asked the Minister for the Environment, Heritage and Local Government if he will have an investigation made into the dispute regarding allegations of inappropriate housing allocations in Dublin City Council; if he will request Dublin City Council to publish the council's audit committee report. [6105/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): Housing allocations are made by a local authority in accordance with an allocation scheme, the making of which is a reserved function of the authority. The legislation governing local authority allocations precludes ministerial involvement in the allocation of housing in individual cases. I understand from Dublin City Council that the matter in question is subject to ongoing examination. Publication of an audit committee report is a matter for the local authority concerned.

Departmental Procurement.

570. **Deputy Joe McHugh** asked the Minister for the Environment, Heritage and Local Government the companies that have been granted contracts for projects worth more than €10 million in the period 2000 to 2010. [6146/10]

574. **Deputy Joe McHugh** asked the Minister for the Environment, Heritage and Local Government the companies that have been granted contracts for projects worth more than €15 million in the period 2000 to date in 2010. [6318/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 570 and 574 together.

The information requested in relation to the one relevant contract entered into by my Department is as follows: a contract worth over €15 million was entered into with Powervote Ireland Limited and Nedap NV in 2003 for the purpose of the acquisition of electronic voting equipment and related services.

Consultancy Contracts.

571. **Deputy Damien English** asked the Minister for the Environment, Heritage and Local Government the number of external consultants currently working for or in his Department; the work they are carrying out; and if he will make a statement on the matter. [6200/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The information requested in relation to consultancies currently underway in my Department is set out in the table.

Consultant	Project/Work
Aegis Archaeology	Conservation Study in County Sligo
David Hickie, Environmental and Planning Consultant	Preparation of 4th Report to the Convention on Biological Diversity
DKM Economic Consultants	Quarterly and Annual Construction Industry research reports
DTZ Sherry Fitzgerald	Examination of individual lease arrangements for the local storage of electronic voting equipment
Elizabeth Cogan, B.L. and Wesley Farrell, B.L	European Communities (Birds and Habitats) Regulations 2010.
Environmental Systems Research Institute	Preparation of National Parks and Wildlife Service Data Management Framework Development Proposal and Study
Grant Thornton	Organisational Review of National Parks and Wildlife Service
Headland Archaeology	Battlefields Project
M.J. O'Connell & Company	Examination of Final Accounts for Water Services Investment Programme schemes
Murphy Consulting	Examination of Final Accounts for Water Services Investment Programme schemes
RPS Group	Project management of implementation of the Market Development Programme for Waste Resources 2007-2011
Tobin Consulting Engineers	National Litter Pollution Monitoring System

Local Authority Housing.

572. **Deputy Seán Ó Fearghail** asked the Minister for the Environment, Heritage and Local Government, further to Questions Nos. 967 of 6 October 2009, 273 of 14 October 2009 and 265 of 21 October 2009, if he will note that the information sought has not been supplied by the local authority concerned; the number of households accommodated under the rental accommodation scheme by Kildare County Council in each month in 2009; and if he will make a statement on the matter. [6242/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Kildare County Council has advised my Department that the information sought has now been issued to the Deputy.

Water and Sewerage Schemes.

573. **Deputy Martin Ferris** asked the Minister for the Environment, Heritage and Local Government when approval will be given to a scheme (details supplied) in County Kerry; and if he will make a statement on the matter. [6298/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Lough Leane Catchment Sewerage Scheme (Kilcummin, Barraduff) was included in my Department's Water Services Investment Programme 2007-2009. The Barraduff Sewerage Scheme is under construction. Kerry County Council's revised proposal for the Kilcummin scheme is under examination in my Department. A decision will be conveyed to the Council as soon as possible in the light of the finalisation of the Water Services Investment Programme for 2010-2012. Local authorities were asked in July 2009 to submit an assessment of needs for water and sewerage services to my Department by 23 October 2009. My Department is considering these assessments, which form a key input to the development of the 2010 to 2012 Water Services Investment Programme. In conducting their assessments, local authorities were asked to prioritise schemes and contracts for progression over the coming years based on

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key environmental and economic criteria. I expect to publish the Water Services Investment Programme 2010 to 2012 early this year.

Question No. 574 answered with Question No. 570.

Foreshore Licences.

575. **Deputy Ciarán Cuffe** asked the Minister for the Environment, Heritage and Local Government the foreshore licence applications currently under consideration by his Department, by the date of application, the address of the proposed works, the applicant's name and a brief description of the works; and if he will make a statement on the matter. [6331/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Following the enactment of the Foreshore and Dumping at Sea (Amendment) Act 2009, my Department assumed responsibility on 15 January 2010 for a range of foreshore functions including all foreshore energy-related developments including oil, gas, wind, wave and tidal energy. Details of foreshore applications that are subject to Environmental Impact Assessment and under consideration are set out on my Department's website at [www.viron.ie/en/foreshore](http://www.environ.ie/en/foreshore). The information requested on other applications is not readily available in the format requested. My Department will compile the information and forward it to the Deputy as soon as possible.

Road Safety.

576. **Deputy Charles Flanagan** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to road safety concerns regarding access roads to the new secondary schools currently under construction at Portlaoise, County Laois; if his further attention has been drawn to the fact that the schools will have projected enrolment of up to 2,000 students and over 100 members of staff and that the roads serving the school area are unsuitable; his views on the need for an upgrade and realignment; and if he will make a statement on the matter. [6336/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Responsibility for roads policy including road safety matters rests with the Minister for Transport, in the first instance. The issue of the adequacy or otherwise of local transport infrastructure to cater for new development, and *inter alia* in relation to schools infrastructure, is a matter for planning authorities and where relevant An Bord Pleanála in determining such planning applications pursuant to their functions as planning authorities under planning legislation, taking account of roads and transport policies and legislation for which the Minister for Transport is responsible and the policies of the relevant agencies under the aegis of the Department of Transport.

Local Authority Funding.

577. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government the implications of the EU ruling on charging VAT on local authority services in the future; the discussions he has with city and county managers regarding this matter; if he has had discussions on the EU ruling with the Department of Finance; the options that exist for local authorities or the public paying the VAT to be given a rebate on the VAT paid in these instances in the future. [6352/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley):

The European Court of Justice in July 2009 delivered its judgment in a case against Ireland in respect of the charging of VAT by public bodies on certain economic activities. The court ruled that public bodies must charge VAT on a range of services to avoid distorting the market between private and public operators. The judgment has implications for all public bodies in Ireland, including local authorities. The Finance Bill 2010 includes legislation to amend the current legal provisions in this area and the proposed commencement date is 1 July 2010.

My Department is participating in an interdepartmental group, chaired by the Department of Finance and including the Revenue Commissioners, on the interpretation of the judgment and its implications for local authorities. A working group of departmental and local authority Finance Officers has been established also to deal with implementation issues in the local government sector. Businesses that are registered for VAT are entitled to recover VAT incurred on their business inputs. Consequently, the extension of VAT to local authority provided services will have no impact on those businesses. Local authorities will be entitled also to deduct VAT on their inputs from the commencement date which should enable them to minimise increases in service costs to be passed on to their customers.

Planning Issues.

578. **Deputy Bobby Aylward** asked the Minister for the Environment, Heritage and Local Government if, in view of current economic circumstances, he will include in the Planning and Development (Amendment) Bill 2009 an extension to the duration of planning permissions granted specifically since mid-2008 where it has not been possible to commence a development within the period originally specified in a planning permission, which would benefit persons; and if he will make a statement on the matter. [6372/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): It should be noted that planning permission granted since mid-2008 would generally remain valid for a period of five years, beginning on the date of the grant of permission. Section 42 of the Planning and Development Acts 2000–2009 provides that the duration of a planning permission may be extended, subject to certain conditions, where substantial works have been carried out before the expiration of the original permission. The Planning and Development (Amendment) Bill amends section 42 to provide, subject to certain conditions, for the possibility of an extension of permission, for a period of up to five years, in circumstances where substantial works have not been carried out, but there are commercial, economic or technical considerations, beyond the control of the applicant, which substantially militated against either the commencement of development or the carrying out of substantial works. It is intended that this provision should apply to applications for extension of permission received after the commencement of the said provision of the Act.

Housing Grants.

579. **Deputy Richard Bruton** asked the Minister for the Environment, Heritage and Local Government the amount of money being allocated to each county council home improvement grant distinguishing the allocations under housing aid, mobility aid, monthly aids and Housing Adaptation (Disability) 2010; if the county councils have indicated the expected level of take up of these grants; and if he will make a statement on the matter. [6396/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): I refer to the reply to Questions Nos. 339 to 341, inclusive, of 3 February 2010. The position remains unchanged.

Water and Sewerage Schemes.

580. **Deputy Michael D'Arcy** asked the Minister for the Environment, Heritage and Local Government the time schedule for the extension for a waste water treatment plant (details supplied) in County Wexford to be built and commissioned. [6402/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): My Department is finalising its assessment of the Contract Documents for the waste water treatment plant element of the Gorey Sewerage Scheme which was included for funding in my Department's Water Services Investment Programme 2007-2009. A decision on the contract documents for this scheme will be notified to Wexford County Council as soon as possible in the light of the finalisation of the Water Services Investment Programme 2010-2012. Local authorities were asked in July 2009 to submit an assessment of needs for water and sewerage services to my Department by 23 October last. My Department is considering these assessments, which form a key input to the development of the 2010 to 2012 Water Services Investment Programme. In conducting their assessments, local authorities were asked to prioritise schemes and contracts for progression over the coming years based on key environmental and economic criteria. I expect to publish the Water Services Investment Programme 2010-2012 early this year.

Home Choice Loan Scheme.

581. **Deputy Deirdre Clune** asked the Minister for the Environment, Heritage and Local Government the position regarding the status of the home choice loan scheme; the budget for this scheme for 2009; the budget provided for loans under this scheme in 2009; the number of staff employed to operate this scheme in 2009; the number of persons who applied for loans under this scheme in 2009; the number of loans approved in 2009; the value of the loans approved in 2009; if the scheme will be reformed in 2010; and if he will make a statement on the matter. [6404/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): More than 1,400 prospective purchasers formally registered interest on the dedicated home choice loan website with 44 applications being made over the course of 2009. Of these, four loan applications were approved with a combined value in excess of €800,000. In terms of available budget for the scheme, it is important to note the scheme is demand led. As such, no budget has been set and no moneys that could be deployed elsewhere have been ring fenced for the scheme. The extent of the loan book arising will depend solely on the level of uptake over the duration of the scheme.

Loan finance is drawn down, as appropriate, by local authorities from the Housing Finance Agency and on-lent to successful applicants. Costs of approximately €280,000 were incurred in 2009 in establishing the scheme, including the setting up of the central processing unit within the Affordable Homes Partnership. These costs were met fully from within existing resources within the partnership. A total of four people across the entire system, which covers all local authority areas, have been employed to roll-out the scheme. A significant element of the staffing costs was incurred in the development of the loan processing model which applies to the Home Choice Loan but which has also now been used in the development of revised systems for processing and credit checking of normal local authority house purchase loan applications under other schemes such as affordable housing, shared ownership etc.

The scheme has already been revised this year with the inclusion, as of 1 January 2010, of second hand houses to reflect the recent shift in first time buyer preferences, possibly as a result of improved affordability given price decreases and historically low interest rates. I also

reduced income limits from €40,000 to €35,000 for single applicants and from €50,000 to €45,000 for joint applicants. I do not expect additional administrative costs to arise from the extension of the scheme. I will continue to review and monitor all aspects of the scheme. Once I am satisfied that the current constrained mortgage market has improved the scheme will be discontinued.

Health and Safety Regulations.

582. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if all the portable electrical equipment in his Department and subsidiary or grant aided companies, local authorities and so on have portable appliance test certificates as required by the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007; if not, the reason for same; if his attention has been drawn to the fact that a PAT must be carried out on all moveable electrical equipment in offices, centres and so on, to ensure the safety and welfare of both employees and employers; if his further attention has been drawn to the fact that records of all such tests must be kept for at least five years to allow the Health and Safety Authority to carry out random spot checks and that insurance companies and underwriters are already seeking proof of compliance prior to renewal of policies; and if he will make a statement on the matter. [6463/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): My Department is aware of the requirements for portable appliance testing and the keeping of records for such tests in accordance with the Safety, Health and Welfare at Work (General Application) Regulations 2007. Where necessary, these requirements are addressed as part of overall compliance management processes, including through the adoption of safe operating procedures and the conduct of regular risk assessments undertaken as part of the Department's health and safety programme. A number of officers in the Department's National Parks and Wildlife Service — where the need for PAT tests may arise more frequently — are qualified testers.

With regard to state bodies under the aegis of the Department, and local authorities, this is a matter for the bodies themselves as part of their day-to-day activities. In accordance with Department of Finance Public Financial Procedures, the Exchequer carries its own insurance.

Social and Affordable Housing.

583. **Deputy John Deasy** asked the Minister for the Environment, Heritage and Local Government the number of houses purchased for social housing purposes by each local authority in each of the past seven years; the cost of such purchases by each local authority in each of the past seven years; and if he will make a statement on the matter. [6470/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): I refer to the reply to Question Nos. 285 and 286 of 27 January, 2010.

584. **Deputy Seán Connick** asked the Minister for the Environment, Heritage and Local Government, further to Parliamentary Question No. 256 of 26 November 2009, the position regarding an application for funding under the capital assistance scheme for voluntary housing associations from an organisation (details supplied) in County Wexford; when a decision on this application will be made; and if he will make a statement on the matter. [6506/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): I recently announced the approval of funding for some 75 volun-

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tary and co-operative housing projects at various locations around the country, including a project being advanced by Rathangan Senior Citizens Housing Association at Rathangan, Co. Wexford. Wexford County Council will advise the housing body with regard to the procedures for drawing down the funding in accordance with the terms and conditions of the relevant scheme.

Turbary Rights.

585. **Deputy Finian McGrath** asked the Minister for the Environment, Heritage and Local Government when turf cutting will cease on the 32 designated raised bogs as outlined in the EC natural habitats regulations 1997; the measures that will be put in place to enforce his decision regarding the cessation of turf cutting. [6663/10]

586. **Deputy Finian McGrath** asked the Minister for the Environment, Heritage and Local Government when the findings of the cessation of turf cutting working group will be available. [6664/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 585 and 586 together.

Following the end of 10-year derogation, turf cutting is now due to cease on 32 raised bog Special Areas of Conservation (SACs). Within the coming weeks, I expect to receive a report from the inter-departmental working group that I established last year to make recommendations on managing the cessation of turf cutting within these sites. I will conclude my consideration of these recommendations as rapidly as possible, and will then be in touch with affected individuals and representative groups in regard to the position.

Planning Issues.

587. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if there is a facility where persons planning to open establishments such as bookmakers, sex shops and head shops must apply to the council for a special class of planning permission. [6678/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): While there are no special planning requirements for the type of shops referred to in the Question, local authorities can use the powers currently available to them under the planning code, such as the development plan process, to ensure that late night and adult entertainment venues are not inappropriately located. The Minister of State with responsibility for the National Drugs Strategy has asked me to look at how the planning system might support the Department of Health regulatory response to the issue of so-called “head shops”; the issue is currently under consideration in my Department.

In relation to so-called sex shops, my Department established a task force in 2007 to examine how the planning system might support the wider regulatory context around the siting and location of adult entertainment venues. The task force was chaired by my Department and comprised representatives from the Department of Justice, Equality and Law Reform; the Office of the Revenue Commissioners; An Garda Síochána; and Dublin City Council. The task force has now finalised its work and I expect its report will be published shortly.

In relation to bookmakers shops, the Betting Act 1931, as amended, which comes under the aegis of the Minister for Finance, governs all matters relating to betting, including the licensing of bookmakers and betting shops by the Office of the Revenue Commissioners. A major review

of gambling (which includes betting) is currently being undertaken under the auspices of the Minister for Justice, Equality and Law Reform and is aimed at developing a new and comprehensive legal and organisational framework governing gambling.

Site Acquisitions.

588. **Deputy Seán Fleming** asked the Minister for the Environment, Heritage and Local Government the payments made in respect of site acquisition and other costs in relation to a project (details supplied) in County Laois; if he will make a statement regarding the position of the project. [6689/10]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Michael Finneran): No payments have been made by my Department in relation to this project. Applications for funding under my Department's Capital Assistance Scheme are considered in the light of, *inter alia*, the available funding for 2010 and the relative priority afforded to the project by Laois County Council.

Local Government Elections.

589. **Deputy Charlie O'Connor** asked the Minister for the Environment, Heritage and Local Government the position regarding the plans for the election of a mayor of Dublin; the schedule that is now being followed in the matter; if a date for the election has been set; if consultation has taken place with the local authorities in the Dublin region; and if he will make a statement on the matter. [6736/10]

596. **Deputy Deirdre Clune** asked the Minister for the Environment, Heritage and Local Government when the system of directly elected mayors will be introduced; when the first such election will be held; if this system will be extended beyond Dublin; if so, when it will be introduced into areas outside Dublin; and if he will make a statement on the matter. [7012/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 589 and 596 together.

The election for a regional Mayor for Dublin will be held this year. A date has not yet been fixed for the election. The necessary legislation to provide for the Mayor and to address the electoral arrangements involved is being advanced as a priority. I intend to publish the general scheme of the legislation for consultation purposes as soon as possible, and then to engage with the Dublin local authorities on practical implementation issues. The issue of democratic local government leadership elsewhere will be addressed as part of the wider approach to local government which will be presented in the White Paper on Local Government. The approach to the White Paper is currently under consideration by Government.

Water and Sewerage Schemes.

590. **Deputy Enda Kenny** asked the Minister for the Environment, Heritage and Local Government if he will announce the allocations for group water schemes within County Mayo in the near future; and if he will make a statement on the matter. [6742/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I expect to notify local authorities, including Mayo, of my Department's block grant allocations under the 2010 Rural Water Programme shortly. Responsibility for the administration of the Rural Water Programme, which includes funding for group water schemes, has been devolved to local authorities since 1997. Under the devolved arrangements, local authorities are responsible for the approval and funding of group water scheme proposals.

Proposed Legislation.

591. **Deputy John McGuinness** asked the Minister for the Environment, Heritage and Local Government his views on recent submissions to his Department from Carlow County Council regarding the negative impact the Planning and Development (Amendment) Bill 2009 will have on the county and reports in the local media regarding same; and if he will make a statement on the matter. [6774/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I have received correspondence from a number of stakeholders regarding certain aspects of the Planning and Development (Amendment) Bill 2009 and proposing specific amendments; these are under consideration in my Department. The Bill is currently at Second Stage in the Dáil and may be further amended as it passes through the remaining stages in the Houses of the Oireachtas. The interaction between the Planning and Development Act and the Regional Planning Guidelines (RPGs), which are currently being reviewed, is set out in reply to Question No. 598 on today's order paper. I have also recently written to the Cathaoirligh of all regional and local authorities regarding the ongoing review of the RPGs and addressing concerns regarding the impact of the new RPGs on future growth across the regions.

Cross-Border Co-operation.

592. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government if he will provide details of all cross-Border programmes, initiatives, areas of co-operation and so on in which his Department is engaging, or in which it is about to engage, with its counterparts in Northern Ireland; and if he will make a statement on the matter. [6776/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): There is ongoing co-operation between my Department and the Department of Environment in Northern Ireland and other relevant agencies in a wide range of areas. Information on 12 such areas of activity is being compiled and will be forwarded to the Deputy as soon as possible.

Waste Management.

593. **Deputy Seán Sherlock** asked the Minister for the Environment, Heritage and Local Government if his Department has had correspondence from Cork County Council in relation to the proposed closure of the landfill site at Youghal, County Cork; and if he will make a statement on the matter. [6999/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): My Department is not aware of any correspondence from Cork County Council on this matter. In any event closure of this landfill is an operational issue for which Cork County Council has statutory responsibility.

594. **Deputy Seán Sherlock** asked the Minister for the Environment, Heritage and Local Government if he has had correspondence from Cork County Council in relation to the construction of a material recovery facility for Bottlehill landfill site in County Cork; and if he will make a statement on the matter. [7000/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): My Department is not aware of any correspondence from Cork County Council regarding the construction of a material recovery facility at the location in question.

Local Government Reform.

595. **Deputy Deirdre Clune** asked the Minister for the Environment, Heritage and Local Government if the Special Report on Public Service Numbers and Expenditure Programmes recommendation to merge local authorities and reduce the number from 34 to 22 is being considered by his Department; and if he will make a statement on the matter. [7011/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The White Paper on Local Government will address a broad suite of local government issues, including in relation to the structure of local government. The approach to the White Paper is under consideration by Government. In addition, the Local Government Efficiency Review Group is currently examining the scope for enhanced efficiency in local government.

Question No. 596 answered with Question No. 589.

597. **Deputy Deirdre Clune** asked the Minister for the Environment, Heritage and Local Government his plans to reform the current system of regional authorities and regional assemblies; and if he will make a statement on the matter. [7013/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The renewed Programme for Government, agreed in October 2009, commits to the provision of democratic leadership for regional authorities and to the strengthening of their strategic role across a range of functions, in addition to their realignment to reflect the National Spatial Strategy Gateways. The issues involved are being considered by Government in the context of current deliberations on the proposed White Paper on Local Government. It should also be noted that the Mayor for Dublin will have a strong strategic role across the Dublin Region.

Planning Issues.

598. **Deputy Deirdre Clune** asked the Minister for the Environment, Heritage and Local Government the measures he will take to review the regional planning guidelines for the Cork and Kerry region in view of the empty units in the region; and if he will make a statement on the matter. [7014/10]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Planning and Development (Regional Planning Guidelines) Direction 2008 which issued on 19 December 2008 under section 21 of the Planning Acts, instructed regional authorities to review and update Regional Planning Guidelines (RPGs) for their regions. The review and update is due to be completed with the adoption of new RPGs within each region by mid-2010, including for the south-west region. These guidelines will set a strategic planning framework for development plans within each regional authority area over the 12-year period from 2010 to 2022.

The Planning and Development Act requires that the RPGs must address, *inter alia*, projected population trends and in this context the 2004 RPGs, having regard to the population scenarios set out in the National Spatial Strategy, proposed population distributions for key urban centres in the respective regions in order to guide development within the overall regional and national strategic policy framework.

To inform the review process and assist regional authorities, my Department published new national population projections in January 2009 including regional population targets for the years 2010, 2016 and 2022 which take account of the changed economic climate and the likely impact of reduced in-migration, rising unemployment and a more constrained financial situation on demographic trends. In October 2009, my Department published specific Gateway

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and Hub population targets which were derived from the January 2009 national and regional population targets.

It is a matter for each Regional Authority together with the constituent City and County Councils to determine population targets for county towns, other smaller towns, villages and rural areas, within their respective regional targets, which will in turn inform the demand for housing over the period and the requirements for development land, taking account of such matters as available vacant housing units within their area.

Question No. 599 answered with Question No. 563.

Research Funding.

600. **Deputy Ruairí Quinn** asked the Minister for Communications, Energy and Natural Resources the position regarding the establishment of energy research and technology centres by international institutions here; and if he will make a statement on the matter. [6068/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The Report of the Irish Energy Research Council identified the need for Irish research funders and researchers to engage in co-ordination, networking, and collaboration in relation to their energy research activities. The Council recommended that the development of such links with relevant institutions and bodies should be encouraged and promoted on the island, at both EU and IEA level and internationally. Irish energy researchers collaborate internationally on an ongoing basis and, in some cases, Irish third level institutions are partners in formal arrangements with such international institutions for the purposes of specific research projects, particularly where EU research funding is concerned.

The establishment of energy research and technology centres in Ireland by international institutions and entities, is a development to be welcomed from both an energy policy and enterprise perspective. I am supportive of such initiatives based on a fully cohesive approach which ensures complementarity and added value in terms of enhancing Ireland's energy research capability.

Departmental Procurement.

601. **Deputy Joe McHugh** asked the Minister for Communications, Energy and Natural Resources the companies that have been granted contracts for projects worth more than €10 million in the period 2000 to 2010. [6141/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. I will write to the Deputy as soon as it is available.

Consultancy Contracts.

602. **Deputy Damien English** asked the Minister for Communications, Energy and Natural Resources the number of external consultants currently working for or in his Department; the work they are carrying out; and if he will make a statement on the matter. [6195/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. I will write to the Deputy as soon as it is available.

Telecommunications Services.

603. **Deputy Tom Sheahan** asked the Minister for Communications, Energy and Natural Resources when the broadband service will be improved so that the population who do not have access to broadband will have same; when fibre-optic broadband will be rolled out in the Muckross area of Killarney, County Kerry. [6233/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. I will write to the Deputy as soon as it is available.

Energy Conservation.

604. **Deputy Thomas Byrne** asked the Minister for Communications, Energy and Natural Resources the position regarding applications for the warmer homes scheme made by persons (details supplied) in County Meath. [6277/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. I will write to the Deputy as soon as it is available.

Departmental Procurement.

605. **Deputy Joe McHugh** asked the Minister for Communications, Energy and Natural Resources the companies that have been granted contracts for projects worth more than €15 million in the period 2000 to date in 2010. [6313/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. I will write to the Deputy as soon as it is available.

Health and Safety Regulations.

606. **Deputy Aengus Ó Snodaigh** asked the Minister for Communications, Energy and Natural Resources if all the portable electrical equipment in his Department and subsidiary or grant aided companies such as An Post, RTÉ, Coillte and so on have portable appliance test certificates as required by the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007; if not, the reason for same; if his attention has been drawn to the fact that a PAT must be carried out on all moveable electrical equipment in offices, centres and so on, to ensure the safety and welfare of both employees and employers; if his further attention has been drawn to the fact that records of all such tests must be kept for at least five years to allow the Health and Safety Authority to carry out random spot checks and that insurance companies and underwriters are already seeking proof of compliance prior to renewal of policies; and if he will make a statement on the matter. [6464/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I am aware of the requirements of the Safety, Health and Welfare at Work Act 2005 and in particular the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007. The issue of Portable Appliance Testing and certification of all relevant equipment in my Department is in the process of being implemented. Proposals for the invitation of tenders to carry out this work are being prepared at present and it is hoped to have the process completed and the testing carried out before the middle of the current year. When completed all certificates will be retained for inspection as required. The issue as it relates to bodies under the

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aegis of my Department is a day to day matter for those agencies and one in which I have no role.

Energy Resources.

607. **Deputy Simon Coveney** asked the Minister for Communications, Energy and Natural Resources the outcome of the EU climate change committee meeting for an agreement on new entrants reserve 300 funding on 2 February 2010; and if he will make a statement on the matter. [6706/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The New Entrant Reserve (NER) 300 is a budget of 300 million EU emission unit allowances (EUAs) allocated in December 2008 to finance innovative demonstration projects in the fields of carbon capture and storage (CCS) and Renewable Energy. As the Deputy will be aware, the purpose of the meeting on the 2nd of February was to decide on the Draft Commission Decision, which included eligibility criteria that will be used to select projects under the NER 300 programme. My officials have been fully engaged with this process since its inception, and are actively involved in trying to bring this process to a successful conclusion.

The Climate Change Committee voted in favour of the revised Commission Decision on the 2nd of February, subject to a number of amendments. These amendments include the inclusion of Ocean Thermal Energy Conversion (OTEC) included under “Ocean” subcategory, the inclusion of the words “smart grids” inserted in the “Distributable Renewable Management” subcategory, along with the provision that the decision can be amended with a view to ensuring geographical and technical balance in the second round of projects seeking funding. It is expected that the process will now move to the invitation for projects stage.

Energy Conservation.

608. **Deputy Thomas Byrne** asked the Minister for Communications, Energy and Natural Resources the position regarding an application for the home energy savings scheme in respect of a person (details supplied) in County Meath. [6707/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. I will write to the Deputy as soon as it is available.

609. **Deputy Bernard J. Durkan** asked the Minister for Communications, Energy and Natural Resources the reason for refusal of an application under the warmer homes scheme in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6824/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. I will write to the Deputy as soon as it is available.

Alternative Energy Projects.

610. **Deputy Willie Penrose** asked the Minister for Communications, Energy and Natural Resources the position regarding the erection of wind turbines, the restrictions and or the prohibitions on such turbines being erected in built up or residential areas; if he will indicate if there are any height restrictions in place in relation to the erection of such wind turbines and their proximity to dwelling houses; and if he will make a statement on the matter. [6857/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): There is currently 1,260 MW+ of wind power generating plant connected to the national grid. These projects have already secured planning permission and connection offers. The Commission for Energy Regulation (CER) Decision on the “Gate 3” process provides for a further connection offers for 3900 MWs of additional renewable electricity capacity (mainly wind power). Connection offers for Gate 3 began to issue in December 2009 and will continue until mid 2011.

Matters relating to planning permission for wind turbines are the responsibility of my colleague, the Minister for Environment, Heritage and Local Government. I can however, inform the Deputy that in February 2007 exemptions from the requirement to apply for planning permission were introduced for small wind turbines under Statutory Instrument S.I. No. 83 of 2007 “Planning and Development Regulations 2007”). A number of restrictions applied to these exemptions which are set out below.

The Statutory Instrument amends Part 1 of Schedule 2 of the Planning and Development Regulations 2001 (S.I. No. 600 of 2001) by the substitution of the following for Class 2:

- (b) The construction, erection or placing within the curtilage of a house of a wind turbine.
1. The turbine shall not be erected on or attached to the house or any building or other structure within its curtilage.
 2. The total height of the turbine shall not exceed 13 metres.
 3. The rotor diameter shall not exceed 6 metres.
 4. The supporting tower shall be a distance of not less than the total structure height (including the blade of the turbine at the highest point of its arc) plus one metre from any party boundary.
 5. No more than one turbine shall be erected within the curtilage of a house.
 6. No such structure shall be constructed, erected or placed forward of the front wall of a house.

The Department of Environment, Heritage and Local Government published a Consultation paper on additional proposed planning exemptions for micro-renewable energy technologies for industrial, commercial, public and agricultural buildings in October 2007. Following consultation, Statutory Instrument 235 of 2008 (“Planning and Development Regulations 2008”) introduced further exemptions for certain classes of renewable energy and CHP installations. These further exemptions for wind generators and related restrictions are as follows:

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- (c) The construction, erection or placing within the curtilage of an industrial building or light industrial building, or business premises of a wind turbine.
1. The turbine shall not be erected on or attached to the premises or building or any other structure within the curtilage of the building or premises.
 2. The total height of the turbine shall not exceed 20 metres.
 3. The rotor diameter shall not exceed 8 metres.

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4. The supporting tower shall be a distance of not less than the total structure height. (including the blade of the turbine at the highest point of its arc) plus:
 - (a) 5 metres from any party boundary,
 - (b) 5 metres from any non-electrical overhead cables,
 - (c) 20 metres from any 38kV electricity distribution line,
 - (d) 30 metres from the centre-line of any electricity transmission line of 110kV or more.
5. The turbine shall not be located within 5 kilometres of the nearest airport or aerodrome, or any communication, navigation and surveillance facilities designated by the Irish Aviation Authority, save with the consent in writing of the Authority and compliance with any condition relating to the provision of aviation obstacle warning lighting.
6. Not more than one turbine shall be erected within the curtilage of the premises or building.
7. The turbine shall not be located within an Architectural Conservation Area.

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- (b) The construction, erection or placing within an agricultural holding of a wind turbine.
 1. The turbine shall not be erected on or attached to a building or other structure.
 2. The total height of the turbine shall not exceed 20 metres.
 3. The rotor diameter shall not exceed 8 metres.
 4. The supporting tower shall be a distance of not less than:
 - (a) one and a half times the total structure height (including the blade of the turbine at the highest point of its arc) plus 1 metre from any party boundary.
 - (b) The total structure height (including the blade of the turbine at the highest point of its arc) plus:
 - (i) 5 metres from any non-electrical overhead cables,
 - (ii) 20 metres from any 38kV electricity distribution line,
 - (iii) 30 metres from the centre-line of any electricity transmission line of 110kV or more.
 5. The turbine shall not be located within:
 - (a) 100 metres of an existing wind turbine.
 - (b) 5 kilometres of the nearest airport or aerodrome, or any communication, navigation and surveillance facilities designated by the Irish Aviation Authority, save

with the consent in writing of the Authority and compliance with any condition relating to the provision of aviation obstacle warning lighting.

6. Not more than one turbine shall be erected within the agricultural holding.

Departmental Programmes.

611. **Deputy Fergus O'Dowd** asked the Minister for Communications, Energy and Natural Resources the number of civil and public servants that have signed up for the cycle to work scheme; the cost of the scheme to date in 2010. [7569/10]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): I regret to advise the Deputy that it is not possible to provide a response to his Question at this time. I will write to the Deputy as soon as it is available.

Afforestation Programme.

612. **Deputy Simon Coveney** asked the Minister for Agriculture, Fisheries and Food if all targets for the millennium forests planted in 1999 were met; if the 16 forests planted still remain intact; the number of household certificates that were distributed by Coillte; the follow-up work that has been carried out in relation to the millennium forests; and if he will make a statement on the matter. [6170/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The People's Millennium Forests Project was a flagship Millennium project sponsored by the National Millennium Committee and AIB and managed by Coillte in association with Woodlands of Ireland. Coillte, the project managers, advise that all of the targets for the millennium forests were met. In relation to the 16 sites included in the project, 14 were in the Republic of Ireland and two were in Northern Ireland. Of the fourteen sites in the Republic, a combination of native woodland restoration work and new planting was carried out at thirteen sites while restoration work only was carried out at one site. An audit of the sites during Autumn 2007 indicated that sites were well managed and forests planted in 2000 are progressing well. Coillte advise that certificates were distributed to 1.2 million households.

Departmental Agencies.

613. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food if Bord Bia falls within the remit of the Office of the Ombudsman; and if he will make a statement on the matter. [6054/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): An Bord Bia does not fall within the scope of the Ombudsman Act 1980. Any questions relating to the Ombudsman's remit are primarily a matter for that Office.

Grant Payments.

614. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food when payment will issue under the animal welfare scheme in respect of a person (details supplied) in County Mayo; and if he will make a statement on the matter. [6084/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The person named has six animals for consideration under the 2008 Suckler Welfare Scheme. To date, aid amounting to €320.00 has been paid for four of the animals. Queries arose in the case of the remaining two animals but these are now resolved and payment will issue to the applicant shortly.

Rural Environment Protection Scheme.

615. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food the number of REPS 4 applicants that have been approved in tabular form in counties Mayo, Galway, Sligo and Roscommon; the number of same that have been paid; the number that await payment; and if he will make a statement on the matter. [6099/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): REPS 4 is a measure under the current Rural Development Programme 2007–13 and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before the first payments issue. Those applicants in Counties Mayo, Galway, Sligo and Roscommon who cleared the administrative checks have been paid, as detailed below. However queries arose on a significant number of applications, in the course of the administrative checks. My Department is continuing to process applications with a view to payment as soon as possible and, in this context, will be in touch with the applicants where necessary, to resolve outstanding issues.

County	REPS 4 applicants 2007, 2008 and 2009	Paid for 2009 up to 8 February 2010
Galway	2,753	1,441
Mayo	2,695	1,276
Sligo	917	573
Roscommon	1,395	999

Afforestation Programme.

616. **Deputy John Perry** asked the Minister for Agriculture, Fisheries and Food the process that will be carried out and the options available to a person (details supplied) in County Sligo, regarding the thinning or cutting of a forest owned by them; the way this asset can be best availed of; and if he will make a statement on the matter. [6130/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): I am advised that the person in question should contact his local Teagasc Forestry Advisor regarding advice in relation to the management of his forest. He should contact Teagasc Forestry Development Unit for a list of Forestry Advisors and contact numbers at Mellows Centre, Athenry, Co. Galway, phone number 091 845200. Alternatively he could contact Forest Service, Johnstown Castle Estate, Wexford at 1890 200 223 for a list of registered private foresters.

Rural Environment Protection Scheme.

617. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food the number of 2009 Donegal REP scheme payments that remain unpaid as of 1 February 2010 at 5.30 p.m.; when these payments will be awarded; and if he will make a statement on the matter. [6132/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Due to industrial Action by staff in my Department, I am not in a position to provide a reply to this question.

Departmental Procurement.

618. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food the companies that have been granted contracts for projects worth more than €10 million in the period 2000 to 2010. [6139/10]

624. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food the companies that have been granted contracts for projects worth more than €15 million in the period 2000 to date in 2010. [6311/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): I propose to take Questions Nos. 618 and 624 together.

The following is the information requested by the Deputy:

Year contract awarded	Name of Company	Value of contract	Description of Project
2008	SWS Business Process Outsourcing	€M 10,494,668	The Provision Of A Bovine Animal Birth Registration System And Passport Issue System (2008 to date)
2007	Carillion Irishenco Ltd., Hartwell Upper, Kill, Co. Kildare	12,827,718.26	Civil Engineering Works: Pier construction at Castletownbere Harbour
2004	South Western Services	17,945,349	Provision of a Bovine Animal Birth and Importation Registration and Passport Issue System (2004 to 2007 inclusive)
2002	John Mowlem and Company PLC. Foundation House, Eastern Road, Bracknell, Berkshire RG12 2UZ, United Kingdom.	38,094,436.54	Civil Engineering Works: Killybegs New Harbour Development
Awarded in 2001 (continued to 2006)	Accenture	16,793,939.43	Mid-Term Review (MTR)/Internet Mapping & Area Payments (IMAP)/ Forestry Computer System (iForis).
2000	South Western Services Co-Op Society	12,916,063	The Provision Of A Bovine Animal Registration And Document Issue System (2000 to 2003 inclusive)

Rural Environment Protection Scheme.

619. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the position regarding entitlement to payment under the REPS 4 and queries which have arisen from the large number of applications in relation to the interaction of the REPS 4 with the nitrates directive; and if he will make a statement on the matter. [6157/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): REPS 4 is a measure under the current Rural Development Programme 2007–13 and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before the first payments issue. Payments have issued to those applicants whose applications cleared the administrative checks. The administrative checks are carried out manually in the Department's local offices and queries in relation to nutrient management planning arose on some 2,000 applications in the course of the checking procedure. These applications are being returned to the applicant requesting that the accuracy of the nutrient management planning be confirmed or that an amended plan be submitted. Payment will issue once satisfactory replies or amended plans have been received.

620. **Deputy Tom Hayes** asked the Minister for Agriculture, Fisheries and Food the reason for the delay in the issue of REPS payments in respect of a person (details supplied) in County Tipperary; when payment will issue; and if he will make a statement on the matter. [6158/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): REPS 4 is a measure under the current Rural Development Programme 2007–13 and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before the first payments issue. Payments have issued to those applicants whose applications cleared the administrative checks. The administrative checks are carried out manually in the Department's local offices and queries arose on a significant number of applications in the course of the checking procedure, including the plan belonging to the person named. This query related to chemical phosphorus levels. The application will now be returned to the applicant requesting that the accuracy of this element of the nutrient management plan be confirmed or that an amended plan be submitted. Payment will issue as soon as a satisfactory reply or amended plan has been received.

Consultancy Contracts.

621. **Deputy Damien English** asked the Minister for Agriculture, Fisheries and Food the number of external consultants currently working for or in his Department; the work they are carrying out; and if he will make a statement on the matter. [6193/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The following is the information requested by the Deputy:

Name of external consultants currently working for or in Department	Description of the consultancy work being carried out
Dr. Noel Cawley	Chair of Seafood Strategy Implementation Group and Common Fisheries Policy Review Group
Deloitte and Touche	To provide independent certification as required by EU Regulations of the Department's European Agricultural Guarantee Fund (EAGF) and European Agricultural Fund for Rural Development (EAFRD) annual accounts and compliance with EU accreditation criteria (specific administration and accounting requirements).
Haskoning (UK) Limited, Rightwell House, Bretton, Peterborough PE3 8DW, United Kingdom.	Engineering Services relating to design of Greencastle Harbour Development
Mott MacDonald Engineering Consultants, 5 Eastgate Avenue, Little Island, Cork in association with Jacobs Engineering Consultants UK Limited, Jacobs House, 427 London Road, Reading, Berkshire RG6 1LB, UK.	Provision of Engineering Services on Castletownbere Harbour Development — Dinish Wharf Development
Mott MacDonald Ireland Ltd., South Block, Rockfield, Dundrum, Dublin 16.	Rosaveel Harbour Development, Ferry Terminal Pontoon Piers: — Supervision of a design and build contract to install pontoons.
Espion	Biannual independent security review of the Department's IT infrastructure and Quarterly independent assessment of the Department's IT Security Measures.
Mazars	Provision of IT Audit Expertise.

Crop Losses.

622. **Deputy Tom Sheahan** asked the Minister for Agriculture, Fisheries and Food the measures he has in place to assist potato growers in County Kerry who were unable to plant or harvest potatoes due to the recent weather conditions; and if he will make a statement on the matter. [6235/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): I am aware that due to very wet conditions in November 2009 a proportion of the total national area of potatoes remained unharvested at the end of the year. Since Christmas Ireland has experienced very severe frost conditions which have resulted in losses to potatoes. Following a preliminary assessment of the crop losses caused by the severe weather conditions, last week I announced the introduction of a limited scheme of financial assistance to certain potato and vegetable growers who have suffered significant losses of produce due to frost damage.

Grant Payments.

623. **Deputy Ulick Burke** asked the Minister for Agriculture, Fisheries and Food when a REPS 4 will be awarded to a person (details supplied) in County Galway; and if he will make a statement on the matter. [6291/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): REPS 4 is a measure under the current Rural Development Programme 2007–13 and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before the first payments issue. Payments have issued to those applicants whose applications cleared the administrative checks. The administrative checks are carried out manually in the Department's local offices and queries arose on a significant number of applications in the course of the checking procedure, including the plan belonging to the person named. This query related to chemical phosphorus levels. The application will now be returned to the applicant requesting that the accuracy of this element of the nutrient management plan be confirmed or that an amended plan be submitted. Payment will issue as soon as a satisfactory reply or amended plan has been received.

Question No. 624 answered with Question No. 618.

625. **Deputy Edward O'Keeffe** asked the Minister for Agriculture, Fisheries and Food when payment of REP scheme will issue in respect of a person (details supplied) in County Cork. [6326/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Due to industrial Action by staff in my Department, I am not in a position to provide a reply to this question.

626. **Deputy Jim O'Keeffe** asked the Minister for Agriculture, Fisheries and Food, further to Parliamentary Question No. 319 of 21 January 2010, the queries arising from an application under REPS 4 in respect of a person (details supplied) in County Cork; and if payment will be awarded. [6341/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Due to industrial Action by staff in my Department, I am not in a position to provide a reply to this question.

627. **Deputy Edward O'Keeffe** asked the Minister for Agriculture, Fisheries and Food when payment will issue to a person (details supplied) in County Cork in respect of a REP scheme. [6384/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): My officials are considering an appeal received from the person named in December 2009 and will contact him shortly.

Health and Safety Regulations.

628. **Deputy Aengus Ó Snodaigh** asked the Minister for Agriculture, Fisheries and Food if all the portable electrical equipment in his Department and related semi-State companies have portable appliance test, PAT, certificates as required by the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007; if not, the reason for same; if his attention has been drawn to the fact that a PAT must be carried out on all moveable electrical equipment in offices, centres and so on to ensure the safety and welfare of both employees and employers; if his further attention has been drawn to the fact that records of all such tests must be kept for at least five years to allow the Health and Safety Authority to carry out random spot checks and that insurance companies and underwriters are already seeking proof of compliance prior to renewal of policies; and if he will make a statement on the matter. [6459/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): In my Department arrangements are in place to carry out portable appliance testing and the keeping of records for such tests in accordance with the Safety, Health and Welfare at Work (General Application) Regulations S.I. No. 299 of 2007. Such arrangements to state bodies under the aegis of my Department are a matter for the bodies themselves as part of their day-to-day activities. In accordance with Department of Finance Public Finance Procedures the Exchequer carries its own insurance.

Grant Payments.

629. **Deputy John Perry** asked the Minister for Agriculture, Fisheries and Food if a person (details supplied) in County Sligo will receive their young farmer installation aid; and if he will make a statement on the matter. [6603/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The person concerned is an applicant under the Young Farmers' Installation Scheme. The application has been approved for payment and the grant-aid will be paid shortly to the applicant by my Department.

Planning Issues.

630. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food if plans are in place to set up planning permission procedures for roads in forestry plantations; when the Forestry Act 1946 will be amended; and if he will make a statement on the matter. [6617/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Forest road development is exempt from the planning process under Section 4(1)(i) of the Planning and Development Act 2000. However, the Planning and Development (Amendment) Bill 2009, which is currently before the Houses of the Oireachtas, proposes to amend Section 4(1) of the Act. My Department is in discussions with the Department of the Environment, Heritage and Local Government regarding this amendment and the proposed new Forestry Bill which is currently being drafted by the Office of the Attorney General.

Grant Payments.

631. **Deputy Fergus O'Dowd** asked the Minister for Agriculture, Fisheries and Food, further

to Parliamentary Question No. 976 of 19 January 2010, the progress to date regarding an application for REPS 4 in respect of a person (details supplied) in County Louth; and if he will make a statement on the matter. [6632/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Payment will issue to the person named within ten working days.

632. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food when payment will issue to a person (details supplied) in County Roscommon; and if he will make a statement on the matter. [6672/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The application from the person named cannot be processed further until a response is received to the letter issued by my officials on 12 January 2010.

633. **Deputy Bobby Aylward** asked the Minister for Agriculture, Fisheries and Food when payment of REPS 4 will issue in respect of a person (details supplied) in County Kilkenny. [6691/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Due to industrial Action by staff in my Department, I am not in a position to provide a reply to this question.

634. **Deputy Bobby Aylward** asked the Minister for Agriculture, Fisheries and Food when payment of REPS 4 will be awarded in respect of a person (details supplied) in County Kilkenny. [6692/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): REPS 4 is a measure under the current Rural Development Programme 2007–13 and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before the first payments issue. Payments have issued to those whose applications required no further examination following the administrative checks. However queries arose on a significant number of applications, including that of the person named, in the course of the administrative checks. My Department is continuing to process applications with a view to payment as soon as possible and, in this context, will be in touch with the applicant's planner shortly.

635. **Deputy Bobby Aylward** asked the Minister for Agriculture, Fisheries and Food when payment of REPS 4 will be awarded in respect of a person (details supplied) in County Kilkenny. [6693/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Payment issued to the person named on 1 February 2010.

636. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and Food when a single farm payment will be processed in respect of a person (details supplied) in County Clare; the penalties that will be incurred; and if he will make a statement on the matter. [6702/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The position regarding penalties that may be applied in respect of the application of the person named under the 2009 Single Payment Scheme has yet to be finalised; an official of my Department will shortly be in direct contact with the person named in this regard.

637. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive their REP scheme payment. [6721/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Due to industrial Action by staff in my Department, I am not in a position to provide a reply to this question.

638. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when a farm improvement scheme application will be approved in respect of a person (details supplied) in County Mayo. [6722/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The person concerned is an applicant under the Farm Improvement Scheme. The application for grant-aid under the Scheme is currently being examined and a decision will be made as soon as possible.

639. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive their REP scheme payment. [6723/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Due to industrial Action by staff in my Department, I am not in a position to provide a reply to this question.

640. **Deputy Tom Sheahan** asked the Minister for Agriculture, Fisheries and Food when applicants who are awaiting their REPS 4 payments will receive them as many are still awaiting their 2009 payments and are being refused feed stuffs by suppliers; and if he will make a statement on the matter. [6729/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): REPS 4 is a measure under the current Rural Development Programme 2007–13 and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before the first payments issue. Payments have issued to those whose applications required no further examination following the administrative checks. However queries arose on a significant number of applications in the course of the administrative checks. My Department is continuing to process applications with a view to payment as soon as possible and, in this context, will be in touch with the applicants where necessary to resolve outstanding issues.

641. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive their REP scheme payment; and if he will make a statement on the matter. [6753/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Payment will issue to the person named within ten working days.

642. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive their REP scheme payment; if this file has been passed by the local office; the position regarding same; and if he will make a statement on the matter. [6754/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Due to industrial Action by staff in my Department, I am not in a position to provide a reply to this question.

643. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food the reason a person (details supplied) in County Galway has not received their full cow welfare scheme for 2009; and if he will make a statement on the matter. [6761/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): The person named has nine animals for consideration under the 2009 Suckler Welfare Scheme. To date, aid amounting to €38.80 has been paid for one of the animals. Queries have arisen in the case of the remaining eight animals, and the person named will be written to in due course by my Department, with a view to having them resolved.

644. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food when a REP scheme payment will issue to a person (details supplied) in County Galway; and if he will make a statement on the matter. [6764/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): REPS 4 is a measure under the current Rural Development Programme 2007–13 and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before the first payments issue. Payments have issued to those applicants whose applications cleared the administrative checks. The administrative checks are carried out manually in the Department's local offices and queries arose on a significant number of applications in the course of the checking procedure, including the plan belonging to the person named. This query related to chemical phosphorus levels. The application will now be returned to the applicant requesting that the accuracy of this element of the nutrient management plan be confirmed or that an amended plan be submitted. Payment will issue as soon as a satisfactory reply or amended plan has been received.

Proposed Legislation.

645. **Deputy Alan Shatter** asked the Minister for Agriculture, Fisheries and Food the reason for the delay in publishing the Animal Health and Welfare Bill; if heads of the Bill have been approved; the general areas of reform that the Bill will address; when the Bill will be published and be before Dáil Éireann. [6787/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): Drafting of the Animal Health and Welfare Bill, which gives effect to commitments in the Programme for Government and the Renewed Programme for Government on issues relating to animal health and welfare is ongoing in my Department. The legislation will amend and consolidate legislation in the area of animal health, particularly to reflect the changed disease status of our animals. Existing legislation will also be updated to ensure that the welfare of all animals, including non-farm animals, is properly protected and that the penalties for offenders are increased significantly. The Bill will provide any necessary statutory basis to give effect to the commitment in the Programme for Government that the responsibility for the welfare of all animals (including non-farm animals) will be consolidated in my Department. I intend to submit the proposed heads of this Bill to the Government at an early date this year.

Grant Payments.

646. **Deputy John O'Donoghue** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Kerry will receive their REPS 4 payment; and if he will make a statement on the matter. [6845/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): REPS 4 is a measure under the current Rural Development Programme 2007–13 and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before the first payments issue. Payments have issued to those whose applications required no further examination following the administrative checks. However queries arose on a significant

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number of applications, including that of the person named, in the course of the administrative checks. My Department is continuing to process applications with a view to payment as soon as possible and, in this context, will be in touch with the person named shortly.

Departmental Programmes.

647. **Deputy Fergus O'Dowd** asked the Minister for Agriculture, Fisheries and Food the number of civil and public servants that have signed up for the cycle to work scheme; the cost of the scheme to date in 2010. [7567/10]

Minister for Agriculture, Fisheries and Food (Deputy Brendan Smith): My Department has been operating the Cycle-to- Work scheme since June 2009 and, to date expenditure on the scheme is €57,640.81 for 81 applications. This will be recouped from the salaries of the participating officers.

Educational Projects.

648. **Deputy Terence Flanagan** asked the Minister for Education and Science his views on the cutbacks imposed on a project (details supplied) in Dublin 17 in view of the negative effect they will have on individuals, families and the community concerned; and if he will make a statement on the matter. [6839/10]

649. **Deputy Terence Flanagan** asked the Minister for Education and Science his views on the amount of funding received by a project (details supplied) over the past five years; and if he will make a statement on the matter. [6840/10]

Minister for Education and Science (Deputy Batt O'Keeffe): I propose to take Questions Nos. 648 and 649 together.

My Department provides funding for thirty eight projects in Local Drugs Task Force areas, including the project specifically referred to by Deputy Flanagan. Allocations for this project over the past five years, and for 2010, are as follows:

2005 — €175,662;

2006 — €231,622;

2007 — €200,000;

2008 — €206,000;

2009 — €205,534;

2010 — €138,847.

Arising from Budget 2010, it was decided that funding for these projects was to be reduced from €3,643,000 in 2009 to €2,461,000 in 2010 and to cease from 2011. I acknowledge the difficulties arising for projects and my Department is currently reviewing the implications of this decision for the individual projects concerned. The review, which involves a detailed examination of all 38 projects, is not as yet completed.

Third Level Fees.

650. **Deputy Ruairí Quinn** asked the Minister for Education and Science the estimated cost

of abolishing fees for part-time undergraduate degrees; and if he will make a statement on the matter. [6065/10]

Minister for Education and Science (Deputy Batt O’Keeffe): There are currently some 21,000 part-time undergraduate students enrolled in the university and institute of technology sectors. It is not known how many of these students would qualify under any extension of the Free Fees Initiative as this would be determined by the eligibility criteria that would apply to such a scheme, including for example, residency, nationality, previous higher education attainment etc. The availability of free fees would also be likely to impact on future demand for access to higher education on a part-time basis.

Accordingly, the Deputy will appreciate that any estimate of costs is very tentative depending on the range of variables referred to. The annual revenue that is currently generated by part-time tuition fees amounts to some €40 million. In addition, taking into account the associated unit funding cost implications for colleges as well as the likely growth in numbers, it is tentatively estimated that such factors could bring costs up to €100 million per annum.

Special Educational Needs.

651. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of applied behavioural analysis schools in receipt of funding from his Department; the number of ABA schools which have applied for funding from his Department; and if he will make a statement on the matter. [6073/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I am assuming that the Deputy is referring to the Applied Behavioural Analysis (ABA) pilot scheme funded by my Department which funds 13 stand-alone autism centres. The scheme was set up in the absence of the current national network of autism-specific special classes in our schools. The Deputy will be aware of my commitment to ensuring that all children including those with autism can have access to an education appropriate to their needs preferably in school settings through the primary and post primary school network. This facilitates access to individualised education programmes, fully qualified professional teachers who may draw from a range of autism-specific interventions, including ABA, special needs assistants, and the appropriate school curriculum with the option where possible of full/partial integration and interaction with other pupils. As each child with autism is unique it is important that children have access to a range of interventions so their broader needs can be met.

In excess of 380 autism-specific classes have now been approved around the country at primary and post primary level by my Department in conjunction with National Council Special Education (NCSE), while more are being set up as required. At primary level there are a maximum of six children in each special class with a teacher and at least two special needs assistants. Extra assistants are provided where the children need them on a case by case basis. In addition, there are in the region of 3,300 children with autism who are receiving additional teaching and/or special needs assistant support in mainstream schools.

The Deputy will be aware that the 2007/2012 Programme for Government commits to the long-term funding for the centres that are currently in the ABA pilot scheme subject to agreement with my Department on standards that will enable them to be supported as primary schools for children with autism. I am pleased to advise that broad agreement has been reached on the core conditions to enable these centres to be recognised as special schools for children with autism and applications have been received for special school recognition from the centres in question. These schools, once recognised, will provide education for children with autism

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in line with my Department’s policy. Detailed modalities relating to the transfer of staff are under consideration.

Educational Projects.

652. **Deputy Richard Bruton** asked the Minister for Education and Science if he has assessed the implications of his decision to withdraw funding from 38 community drug projects including a project (details supplied) on clients and their families. [6086/10]

698. **Deputy Chris Andrews** asked the Minister for Education and Science his proposed reductions to projects run through local drugs task forces in Dublin in 2010, with a cessation of this funding in 2011; if there has been any review of these proposals; and or if there are any plans to review these proposals. [6633/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 652 and 698 together.

My Department provides funding for thirty eight projects in Local Drugs Task Force areas, including the project specifically referred to by Deputy Bruton. These projects, through a variety of programmes and activities, seek, in the main, to encourage young people not to engage in drug-taking. My Department originally took on responsibility for funding these projects through a mainstreaming process, whereby projects on interim funding were assigned to a number of departments and State agencies. Thirty five of the projects are administered by the three VECs in Dublin City, Dublin County and in Dún Laoghaire, while the remaining three projects are funded directly by my Department.

Arising from Budget 2010, it was decided that funding for these projects was to be reduced from €3,643,000 in 2009 to €2,461,000 in 2010 and to cease from 2011. I acknowledge the difficulties arising for projects and my Department is currently reviewing the implications of this decision for the individual projects concerned. The review, which involves a detailed examination of all 38 projects, is not as yet completed.

Public Sector Pay.

653. **Deputy Richard Bruton** asked the Minister for Education and Science if contract researchers in universities have to pay the pension levy and take the recent pay cut, even though these posts are funded by private money and are not eligible for a public service pension. [6089/10]

Minister for Education and Science (Deputy Batt O’Keeffe): For the purposes of the Financial Emergency Measures in the Public Interest (No. 2) Act 2009, Universities are public service bodies. A public servant is defined in the Act as a person who is employed by, or holds any office or other position in, a public service body. Consequently, employees of Universities are comprehended by the Act. Remuneration payable by or on behalf of a public service body to its employees, irrespective of funding source or employment status, falls to be reduced in accordance with the provisions of the Act.

Schools Building Projects.

654. **Deputy Olivia Mitchell** asked the Minister for Education and Science the position regarding the funding application for the replacement school by a school (details supplied) in Dublin 18; when a decision will be available; and if he will make a statement on the matter. [6092/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The project for the school referred to by the Deputy is currently at an early stage of architectural planning. The progression of all large scale building projects, including this project, from initial design stage through to construction is dependent on the prioritisation of competing demands on the funding available under the Department’s capital budget. The proposed building project will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme for 2010 and subsequent years. However, in light of current competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the delivery of the project at this time.

School Accommodation.

655. **Deputy Finian McGrath** asked the Minister for Education and Science if he will support a matter (details supplied) in Dublin 5. [6102/10]

701. **Deputy Finian McGrath** asked the Minister for Education and Science if he will support a matter (details supplied). [6661/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 655 and 701 together.

I presume the Deputy is referring to the premises where Greendale Community school was located prior to its closure in 2007. The City of Dublin VEC, is charged by my Department on a caretaker basis with regularising the status and implementation of any arrangements for the use of the premises. It is therefore more appropriate that the matter in question be referred to the VEC for consideration. My officials have been advised by the VEC that it is not aware of any difficulties regarding the use of the premises referred to by the Deputy. My Department will now liaise with the VEC in the coming months to put in place the formal legal arrangements.

Special Educational Needs.

656. **Deputy Finian McGrath** asked the Minister for Education and Science if he will support a matter (details supplied). [6103/10]

711. **Deputy Joe Behan** asked the Minister for Education and Science the number of pupils at primary and second level who have lost the services of a special needs assistant in the period from 1 September 2009 to 1 February 2010; and if he will make a statement on the matter. [6788/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 656 and 711 together.

The Deputy will be aware that the National Council for Special Education (NCSE), through its network of Special Educational Needs Organisers (SENOs), is at present carrying out a review of Special Needs Assistant (SNA) allocations in all schools with a view to ensuring that the criteria governing the allocation of such posts, as outlined in my Department’s Circular 07/02, are properly met. This is an exercise in identifying surplus posts which are in the system and which do not meet the current criteria — posts that have been retained when a pupil’s care needs have diminished or where the pupil has left.

The allocation for any school, and any adjustments to that allocation, depends on a number of factors such as the number of pupils with care/medical needs leaving, the number of new pupils, the changing needs of the pupils and any surplus identified. Furthermore, schools can

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make applications at any time with the result that the individual situation of any school can change and allocations are not static for a school year in the same way as are, for example, classroom teaching posts. The NCSE is independent in the making and issuing of its decisions relating to SNA allocations. The NCSE has advised that the review will be completed by end March 2010. At that point, the NCSE will provide me with a report on the outcome of the review. I wish to assure the Deputy that SNA support will continue to be made available to schools which have enrolled pupils who qualify for such support.

Schools Building Projects.

657. **Deputy Finian McGrath** asked the Minister for Education and Science if he will support the case of a school (details supplied) in Dublin 5. [6104/10]

Minister for Education and Science (Deputy Batt O’Keeffe): As part of the expansion of the Permanent Accommodation Scheme 2007, a grant was allocated to St. Brigid’s National School to enable the management authority to provide 3 additional mainstream classrooms. I understand that some difficulties arose between the school and the design team/contractor. However, as this is a devolved project it is a matter for the school authority.

658. **Deputy Ulick Burke** asked the Minister for Education and Science the position regarding the provision of a new school (details supplied) in County Galway; and if he will make a statement on the matter. [6110/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to the Department for major capital funding. The application has been assessed in accordance with published prioritisation criteria for large scale projects and assigned a band 1 rating. As part of the assessment process, the long term projected staffing was determined as Principal plus 8 assistant mainstream class teachers. This was notified to the school authorities in January 2007.

Following a site visit to the school, it was decided that the existing school site could not accommodate a new 8 classroom school and that a new school was required. The Patron has advised that parish land to the rear of the existing school site will be made available to accommodate the provision of the new 8 classroom school. The progression of all large scale building projects, including this project, from initial design stage through to construction will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme. However, in light of the current competing demands on the capital budget, it is not possible to give an indicative timeframe for the progression of the project at this time.

School Curriculum.

659. **Deputy Arthur Morgan** asked the Minister for Education and Science when the new rules for the administration of early total immersion education in gaelscoileanna will be published; and if he will make a statement on the matter. [6111/10]

660. **Deputy Arthur Morgan** asked the Minister for Education and Science if he will hold a consultation process with teachers and other interested education parties in regard to the drawing up of new guidelines for the administration of early total immersion education in gaelscoileanna; and if he will make a statement on the matter. [6112/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 659 and 660 together.

Having considered submissions regarding proposals to prescribe the primary school curriculum by regulation and following discussions with Irish language interests, I am proposing to introduce a regulation that will prescribe the primary curriculum. The regulation will stipulate that the teaching of English may be delayed in Irish-medium schools up to the end of the first term of senior infants, subject to the approval of the school's board of management and following consultation with the patron, teachers and parents' association. However, Irish-medium schools will be required to provide the stipulated provision for English for children whose parents request that provision.

The approach that is being adopted seeks to strike a balance that ensures that the practice of Irish-medium schools in providing immersion programmes can continue while at the same time respecting the position of those parents who seek to have access the national curriculum in English. I intend to provide a copy of the draft regulation to the education partners and Irish language organisations prior to laying it before the Houses of the Oireachtas over the coming weeks. This will be done when legal work on the preparation of the regulation is completed. It is envisaged that the regulations would be effective from September 2010.

Transition Year.

661. **Deputy Arthur Morgan** asked the Minister for Education and Science the number of secondary schools here that offer transition year to students; the percentage of secondary schools that offer transition year; and if he will make a statement on the matter. [6119/10]

720. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of second level schools which offer transition year; the number of students currently in transition year; and if he will make a statement on the matter. [7503/10]

Minister for Education and Science (Deputy Batt O'Keeffe): I propose to take Questions Nos. 661 and 720 together.

The number of students taking the Transition Year programme is extracted from the returns made by post-primary schools of students enrolled as at 30th September each year. There were 732 recognised post-primary schools in 2008/09 of which 553 (76%) offered the Transition Year programme. The number of students enrolled in the Transition Year programme during 2008/2009 was 28,350. The processing of 2009/2010 enrolments as at 30th September is currently under way and therefore final figures are not available at this time.

Higher Education Grants.

662. **Deputy Olivia Mitchell** asked the Minister for Education and Science the reason for the delay in processing grant applications by the County Dublin Vocational Education Committee in respect of persons (details supplied) in Dublin 16; and if he will make a statement on the matter. [6128/10]

Minister for Education and Science (Deputy Batt O'Keeffe): County Dublin Vocational Education Committee has confirmed to my Department that it has provisionally awarded grants to the candidates referred to by the Deputy, subject to receipt of confirmation of registration on an approved course at an approved institution.

School Curriculum.

663. **Deputy Arthur Morgan** asked the Minister for Education and Science the details of enterprise education in second level schools; if he will review and extend the enterprise education programme outside of current programmes; his views on whether enterprise education

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should be a compulsory part of secondary level education in view of the demands of the smart economy; and if he will make a statement on the matter. [6129/10]

Minister for Education and Science (Deputy Batt O’Keeffe): Enterprise Education forms part of the Leaving Certificate Vocational Programme Link Modules, and is an examinable part of the Leaving Certificate taken by some 15000 students annually. In addition, as part of the Transition Year Programme, mini-company activities are supported whereby students plan, develop and manage a mini enterprise or organise a major event such as a trade fair or fashion show. Teamwork, multi-disciplinary learning, interpersonal and communications skills, planning, evaluation, and mastery of business concepts are all part of this process. The Transition Year Programme, which is taken by 50% of the student cohort, provides key opportunities for these types of skills to be developed through other measures also, such as school musicals. Some 5000 students annually take part in the Young Social Innovators Programme which promotes these skills as well as social awareness and active citizenship.

In a further development the Student Enterprise Awards run by the County and City Development Board has a participation of some 10,500 students annually under which students plan, market and operate a real business. The Smart Economy strategy provides for a major strengthening, expansion and marketing of mini-company and student enterprise awards under the title of the Sean Lemass Award.

The Leaving Certificate Business syllabus, which is studied by some 18400 students annually, also places a strong emphasis on enterprise. The syllabus covers the relationships of people in a business environment, handling conflict, identifying, marketing and starting a business, the domestic and international environment, entrepreneurs and enterprise skills, and their application to different situations. The BT Young Scientist and Technology Exhibition is also testament to the investigative and innovative skills of students in our schools, with over 1,135 students and 509 projects taking part in the 2010 exhibition.

As part of its ongoing work, the National Council for Curriculum and Assessment is embedding key skills in all senior cycle subject areas. The key skills identified are information processing, communicating, critical and creative thinking, working with others and being personally effective. The Council has also developed a short course in Enterprise Education for consultation. The proposals for reform of the junior certificate programme will provide more opportunities for embedding key skills, and for school-based innovation and creativity. I agree that it is vitally important that all students develop key skills and engage in innovative learning, creative and entrepreneurial activity. Opportunities to develop these skills are already embedded in various programmes and subjects. This work will be further strengthened, while at the same time meeting the diverse needs of the student cohort. EU policy in promoting enterprise as one of the 8 key competencies which students should develop, takes a wider view of enterprise as being a willingness to welcome change, take responsibility, set objectives and meet them, plan, organise, evaluate, manage a project, and work effectively and flexibly with others.

School Transport.

664. **Deputy Michael Ring** asked the Minister for Education and Science if a person (details supplied) in County Mayo will avail of school transport. [6135/10]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): Under the terms of the Primary School Transport Scheme, only eligible children qualify for free transport. In order to be eligible, children must live at least 3.2 kilometres from, and be attending, their nearest national school as determined by my Department. Bus Éireann, which

operates the school transport scheme, on behalf of my Department, have advised that the pupil referred to by the Deputy, in the details supplied, resides 1.9 kms from the school of attendance and is therefore not eligible for free school transport. Pupils who reside less than 3.2 kilometres from their school of eligibility may avail of fare-paying concessionary transport to that school, provided there are spare seats on an existing service and they pay the annual charge. Concessionary pupils from families with valid medical cards are not exempt from this charge.

Departmental Procurement.

665. **Deputy Joe McHugh** asked the Minister for Education and Science the companies that have been granted contracts for projects worth more than €10 million in the period 2000 to 2010. [6144/10]

676. **Deputy Joe McHugh** asked the Minister for Education and Science the companies that have been granted contracts for projects worth more than €15 million in the period 2000 to date in 2010. [6316/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 665 and 676 together.

The following companies have been granted contracts for projects worth more than €10 million and €15m in the period 2000 to 2010:

Projects more than €10m

Project	Company
Ballinteer Community School	P.J. McLoughlin & Sons Ltd.
St. Nessian’s Community College	Martins Construction Ltd.
Malahide Community School	McInerney Contracting Ltd.
Ratoath Community College	Midland Construction & Engineering Ltd.
Youghal Community School	John F Supple Ltd.
Colaiste Bride, Clondalkin	Glenman Corporation Ltd.
Muckross Park College	Duggan Brothers Ltd.
Portlaoise Vocational School	JSL Group
Cherry Orchard National School	Townlink Construction Ltd.

Projects more than €15m

Project	Company
Pilot Schools	Schools Public Private Partnership (Ireland) Limited
National Maritime College	Focus Education (NMC) Limited
Cork School of Music	Cork School of Music PPP Services Limited
1st Bundle PPP Schools	Macquarie Partnership for Ireland Schools 1 Limited
Phibblestown Primary & Post Primary	P.J. Hegarty and Sons

School Accommodation.

666. **Deputy Ruairí Quinn** asked the Minister for Education and Science, further to Parliamentary Question No. 628 of 26 January 2010, the number of primary schools that are renting premises from private landlords; the name and address of each school; the name and

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address of each landlord; the rent paid by each school per annum; and if he will make a statement on the matter. [6165/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The information requested by the Deputy is being compiled by officials in the Planning and Building Unit of my Department. While it may not be possible to provide information on the address of each landlord due to Data Protection legislation all other available information will be forwarded to the Deputy shortly.

Schools Building Projects.

667. **Deputy Ruairí Quinn** asked the Minister for Education and Science, further to Parliamentary Question No. 624 of 26 January 2010, when the information will be available to answer the question as originally asked; and if he will make a statement on the matter. [6166/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I refer the Deputy to my replies of the 19th and 26th of January where I provided details of the 57 primary school projects and 21 post-primary projects. The estimated construction cost of the 78 projects is €300m. Further details on these projects are available on my Department’s website at www.education.gov.ie. I am currently in the process of reviewing the school building and modernisation programme with my officials in the context of the funds available for 2010 and I will be making a further announcement on the programme when that review has been completed.

Consultancy Contracts.

668. **Deputy Damien English** asked the Minister for Education and Science the number of external consultants currently working for or in his Department; the work they are carrying out; and if he will make a statement on the matter. [6198/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The information requested must be compiled from details supplied by line sections within my Department. The details in question have been sought from all line sections and a response will be forwarded to the Deputy as soon as the relevant information is to hand.

Post-Leaving Certificate Courses.

669. **Deputy Brian Hayes** asked the Minister for Education and Science the number of post-leaving certificate places which exist within the further education sector; if more places will be provided in 2010; the number of places in each of the past three years; and if he will make a statement on the matter. [6224/10]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): For the academic years 2007/2008 and 2008/2009, there were 30,188 approved Post-Leaving Certificate (PLC) places. An additional 1,500 places were approved as part of the Budget of 7 April 2009. This increased the total number of approved PLC places for the 2009/2010 academic year to 31,688. Actual enrolments have exceeded this figure by some 6,800. The level of approved provision will be maintained for the 2010/2011 academic year.

Special Educational Needs.

670. **Deputy Michael Ring** asked the Minister for Education and Science the position regarding the special needs assistants for a school (details supplied) in County Mayo; if the school

will be allowed to retain its full complement of 13 SNAs in view of the fact that they are working with children who have various needs as identified and approved by special educational needs organisers; and if he will make a statement on the matter. [6244/10]

Minister for Education and Science (Deputy Batt O’Keeffe): As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department’s criteria in allocating such support. All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child’s special educational needs, using the contact details available on www.ncse.ie. I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply. I wish to assure the Deputy that SNA support will continue to be made available to schools which have enrolled pupils who qualify for such support.

Departmental Bodies.

671. **Deputy Leo Varadkar** asked the Minister for Education and Science if he will extend the contract of the chief executive officer of the National Education Welfare Board; and if he will make a statement on the matter. [6245/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The National Educational Welfare Board (NEWB) is established under the Education (Welfare) Act 2000 as the statutory body with responsibility for school attendance. The CEO post is provided for under Section 36 of the Act with responsibility to manage and control the administration and business of the Board and is accountable to the Board. The term of appointment for the CEO of the NEWB expires in June 2010. The CEO post, as with all posts in the NEWB and the wider public sector, is subject to the moratorium on recruitment and promotions in the public service. The moratorium applies to the filling of all posts. My Department has already commenced consultation with the Board of the NEWB on arrangements for filling the post and it has commenced consultation with the Department of Finance on the implications of the moratorium on the future of the CEO post. Decisions in respect of this post will be made on completion of these consultations.

672. **Deputy Leo Varadkar** asked the Minister for Education and Science the steps he will take regarding the findings of the Comptroller and Auditor General in respect of the National Education Welfare Board. [6246/10]

Minister of State at the Department of Education and Science (Deputy Seán Haughey): The National Educational Welfare Board (NEWB) is established under the Education (Welfare) Act 2000 as the statutory body with responsibility for school attendance. The Act provides a comprehensive framework which promotes regular school attendance and tackles the problems of absenteeism and early school leaving. The general functions of the Board are to ensure that every child attends a recognised school or otherwise receives a certain minimum education.

Special Report No. 8 of the Comptroller and Auditor General published in 2007 dealt with lapses in internal controls at the National Educational Welfare Board. The lapses identified in the Special Report occurred at the earliest phase of the development of administrative structures within the NEWB. Since the publication of the Special Report my Department has taken steps to reduce the risk of similar lapses occurring in the State Sponsored Bodies and Agencies under its aegis in the future. In this regard, my Department issued correspondence to the Bodies under its aegis highlighting the need for the Bodies to ensure, through internal audit

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and by other means that all necessary controls are in place and that procedures are documented and are implemented in keeping with guidelines on governance for the body. My Department also highlighted the requirement for each agency to be compliant with the Code of Practice for the Governance of State Bodies, the necessity for the relevant authority to be fully aware of its responsibility with regard to its oversight role in the disbursement of moneys and that the Chief Executive Officer/Director is the person accountable to the Board.

I would like to advise the Deputy that the revised and updated Code of Practice for the Governance of State Bodies issued to the NEWB in June 2009. The revised code sets out the agreed governance framework for the internal management as well as the internal and external reporting relationships, of commercial and non-commercial State Bodies. My Department has advised the NEWB that the Board is required to comply with the content of the revised code and that all internal procedures should be reviewed and updated as required to ensure compliance with the new provisions in the revised code.

Special Educational Needs.

673. **Deputy Thomas Byrne** asked the Minister for Education and Science if children (details supplied) in County Meath are entitled to the allocation of a special needs assistant from the National Council for Special Education; and if so, the hours they are entitled to receive. [6283/10]

Minister for Education and Science (Deputy Batt O’Keeffe): As the Deputy will be aware, the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs), for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department’s criteria in allocating such support. All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child’s special educational needs, using the contact details available on www.ncse.ie. I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply.

674. **Deputy Arthur Morgan** asked the Minister for Education and Science the number of special needs assistants employed in schools here in September 2009. [6293/10]

Minister for Education and Science (Deputy Batt O’Keeffe): There were a total of 10,236 special needs assistant employed in all primary and second level schools at the end of September 2009.

675. **Deputy Arthur Morgan** asked the Minister for Education and Science the number of special needs assistants employed in schools here as and from January 2010. [6294/10]

Minister for Education and Science (Deputy Batt O’Keeffe): There were a total of 10,342 special needs assistants employed in all primary and second level schools at the end of December 2009.

Question No. 676 answered with Question No. 665.

Schools Building Projects.

677. **Deputy Joe McHugh** asked the Minister for Education and Science when a decision will

issue on a building project (details supplied) in County Donegal; the timetable for the decision making process in this regard; and if he will make a statement on the matter. [6328/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The building project at the school referred to by the Deputy is at an advanced stage of architectural planning and has been assigned a band 1.1 rating. An enabling works contract to provide a new sewage plant and filtration bed at the school was approved in 2009. The progression of all large-scale building projects, including this project, is dependent on prioritisation of the competing demands on my Department’s capital budget. The building project for this school will be considered in the context of my Department’s multi-annual school building and modernisation programme for 2010 and subsequent years. However, in light of current competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the delivery of the project at this time.

Water Charges.

678. **Deputy Brian O’Shea** asked the Minister for Education and Science if, in view of the concerns of a primary school (details supplied) in County Waterford regarding circular 0064/2009 in the matter of the imposition of metered water charges, he will revert to the *per capita* charge which operated on an interim basis prior to January 2010; and if he will make a statement on the matter. [6334/10]

705. **Deputy Liz McManus** asked the Minister for Education and Science his views on increasing the capitation grant per child to offset water charges that are being imposed on schools here; his further views on whether schools should be exempt from commercial water rates; and if he will make a statement on the matter. [6698/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 678 and 705 together.

Under the Water Framework Directive, the payment of water charges is required with effect from 1 January 2010. The legal advice available to the Government is that schools, like other non-domestic water services users, must pay the full cost of water services used on a metered basis. The Directive required that transitional measures be in place up to 2010 to move towards full cost recovery. It is not possible to maintain these per capita transitional rates.

Circular 64/2009, to which Deputy O’Shea refers, advises schools that data from local authorities indicates that water consumption levels in many schools remains too high. With the introduction of full metered water charges, costs may increase substantially if schools do not put in place water conservation measures. The circular details also the benefits to the school if it reduces water consumption to a recommended per capita usage of 2.1 cubic metres. Schools were advised of actions they could take to reduce water consumption in Circular 46/2008, which was issued by my Department in April 2008. They were advised to develop a water management plan, in order that they would be familiar with the water distribution systems serving the school and the areas where water is used along with potential areas for wastage and leakage. Practical suggestions for reducing water consumption, along with examples of best practice, were also included.

I wish to draw the Deputies’ attention also to Circular 57/2009, which is available on my Department’s website. Circular 57/2009 outlines the funding available through the Summer Works Scheme 2010 for water conservation measures, which will have the effect of reducing schools’ water charges and of contributing to environmental sustainability. The Deputy will be aware that my Department, as is the case for all Government Departments, has had to identify

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efficiencies in all areas of its budget. Schools can play a role in that regard also by reducing their water consumption and thereby their water charges. I do not propose to provide a specific increase in capitation to take account of metered water charges.

Schools Building Projects.

679. **Deputy Ruairí Quinn** asked the Minister for Education and Science when a school (details supplied) in County Meath will be granted permission to build a new purpose built school; if his attention has been drawn to the fact that the local council has zoned the land for education purposes and that the site is ready to be built upon; and if he will make a statement on the matter. [6335/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I wish to advise the Deputy that the Department is in discussions with the agent representing the land owner with a view to acquiring a suitable site for the school in question. In this regard, the Department has recently received a counter proposal on foot of the Department’s initial offer to acquire the site which is being considered in the Department. Due to the commercial sensitivities pertaining to the acquisition of school sites generally, it is not possible for me to comment further at this time.

Higher Education Grants.

680. **Deputy Brian O’Shea** asked the Minister for Education and Science the proposals he has to introduce more equity into entitlement to third level maintenance grants regarding employees and the self-employed; and if he will make a statement on the matter. [6344/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The student maintenance grant is the main financial support available to students in higher education. Students who are entering approved courses are eligible for financial assistance where they satisfy the relevant conditions including those relating to residence, means, age, nationality and previous academic attainment. The assessment of means under my Department’s student maintenance grant schemes is based on gross income from all sources. Therefore, all income is assessed from the same starting point, eliminating any distortion which might arise from different spending decisions. The income thresholds are stated on a gross income basis — the average industrial wage by reference to which the thresholds are calculated represents gross pay before any deductions for income tax or PRSI. The means test arrangements of the student maintenance grant schemes are applied nationally. In the case of both employed and self-employed applicants, gross income is assessed with certain specified social welfare and health service executive payments excluded. I have no plans at present to depart from the above practice in respect of the determination of income.

681. **Deputy Michael Ring** asked the Minister for Education and Science the financial assistance available to a student attending a private college in the United Kingdom. [6347/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The Higher Education Grants Schemes operate under the Local Authorities (Higher Education Grants) Acts 1968 to 1992. Each year, the scheme specifies a list of approved institutions for grants purposes. The approved institutions mainly comprise of public funded third level institutions. Private colleges are not approved for grants purposes. There are no plans at present to extend the scope of the student support schemes to private colleges. However, Section 473A, Taxes Consolidation Act, 1997 provides for tax relief, at the standard rate of tax, for tuition fees paid in respect of

approved full/part-time courses in both private and publicly funded third level Colleges and Universities in the State and any other E.U. Member State. Further details and conditions in relation to this tax relief are available from a candidate's local tax offices or on Revenue's website at <http://www.revenue.ie>.

Pension Provisions.

682. **Deputy Ruairí Quinn** asked the Minister for Education and Science if he will review the pension arrangements for a person (details supplied) in County Dublin whose career in the European Schools has had unforeseen impacts upon his pension entitlements; if he will reassess the entitlement of this person's pension provision in relation to Article 40.C of the Regulations for the Seconded Staff in the European Schools (1987); and if he will make a statement on the matter. [6348/10]

Minister for Education and Science (Deputy Batt O'Keeffe): I understand that in relation to the individual referred to by the Deputy, his seconded service with the European Schools has been taken into account for pension purposes in accordance with the terms and conditions of his pension scheme. I also understand that his pensionable remuneration reflected the grade on which he was originally seconded to the European Schools.

On the question of Article 40(c) of the 1987 European School Regulations for members of the teaching staff of the European Schools, this Article provides that "A Headmaster who served as a secondary school teacher in a European School, prior to his appointment shall, when his period of appointment expires, be re-integrated by his national authorities, who shall ensure that his record at the European School is not overlooked in his subsequent national career". This provision has no application in this instance. I wish to advise the Deputy that this case was raised by the Pensions Ombudsman with my Department in July 2008 and no basis was established to amend the awarded pension.

Health and Safety Regulations.

683. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Science if all portable electrical equipment in his Department and subsidiary or grant-aided companies have portable appliance test certificates as required by the Safety, Health and Welfare at Work (General Application) Regulation S.I. No. 299 of 2007; if not, the reason for same; if his attention has been drawn to the fact that a PAT must be carried out on all moveable electrical equipment in offices, centres and so on, to ensure the safety and welfare of both employees and employers; if his further attention has been drawn to the fact that records of all such tests must be kept for at least five years to allow the Health and Safety Authority to carry out random spot checks and that insurance companies and underwriters are already seeking proof of compliance prior to renewal of policies; and if he will make a statement on the matter. [6465/10]

Minister for Education and Science (Deputy Batt O'Keeffe): My Department is committed to a policy of maintaining a safe and healthy working environment for all its employees. In pursuance of this policy and in compliance with the Safety, Health and Welfare at Work Act 2005, systems have been put in place to ensure that equipment and machinery are properly maintained and that adequate training is provided in the use of equipment/machinery where this is appropriate.

I am aware that a portable appliance test (PAT) must be carried out on all movable electrical equipment as required by the Safety, Health and Welfare at Work (General Application) Regulations 2007. The Health and Safety Unit in my Department is currently organising a PAT programme in cooperation with the Office of Public Works to ensure compliance with the

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regulations as set out by the Health and Safety Authority. It is a matter for subsidiary/grant-aided companies to ensure they are in compliance with health and safety legislation.

National University of Ireland.

684. **Deputy Michael McGrath** asked the Minister for Education and Science if he will respond to correspondence received from a person (details supplied) concerning the future of the National University of Ireland.. [6472/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I have responded to the letter in question.

Schools Building Projects.

685. **Deputy Dan Neville** asked the Minister for Education and Science when a new national school will commence construction in County Limerick. [6475/10]

Minister for Education and Science (Deputy Batt O’Keeffe): My Department is currently awaiting receipt of the Supplementary Tender Report from the Board of Management. When the Supplementary Tender Report has been received and provided there are no issues arising there from, the school will be authorised to proceed to the construction stage.

School Closures.

686. **Deputy Niall Collins** asked the Minister for Education and Science the meetings, dates and discussions between his Department or its representatives and the trustees of a school (details supplied) or their representatives regarding the future of this school. [6477/10]

687. **Deputy Niall Collins** asked the Minister for Education and Science if his attention has been drawn to the fact that the trustees of a school (details supplied) in County Limerick have informed the board of management of the school that they propose to close the school at or before the end of academic year 2012/13; and if he will reassure parents of pupils that places in the three County Limerick schools in the same locality will be available for their children to enable them to continue their education up to the leaving certificate. [6478/10]

688. **Deputy Niall Collins** asked the Minister for Education and Science, in view of the fact that the trustees of a school (details supplied) in County Limerick have informed the board of management of the school that they propose to close the school at or before the end of academic year 2012/13, if departmental resources will be made available to parents of pupils to facilitate the relocation of their children to other schools in the locality to enable them to continue their education up to the leaving certificate. [6479/10]

689. **Deputy Niall Collins** asked the Minister for Education and Science, in view of the fact that the trustees of a school (details supplied) in County Limerick have informed the board of management of the school that they propose to close the school at or before the end of academic year 2012/13, if he will reassure parents of pupils attending primary schools in the area that places in the three County Limerick schools in the same locality will be available for their children to enable them to continue their education up to the leaving certificate. [6480/10]

690. **Deputy Niall Collins** asked the Minister for Education and Science, in view of the fact that the trustees of a school (details supplied) in County Limerick have informed the board of management of the school that they propose to close the school at or before the end of

academic year 2012/13, if he will provide guidance to parents of pupils applying for entry into the school as a first year in the academic year 2010/11; if they should continue with this application or if they should apply to other schools in the locality; and if places will be available in those schools for all potential students. [6481/10]

691. **Deputy Niall Collins** asked the Minister for Education and Science the potential future plans for the site currently occupied by a school (details supplied) in County Limerick once the trustees have ceased using it as a school. [6482/10]

697. **Deputy Jan O'Sullivan** asked the Minister for Education and Science the progress that has been made in planning for the future of a school (details supplied) in County Limerick; and if he will make a statement on the matter. [6621/10]

Minister for Education and Science (Deputy Batt O'Keeffe): I propose to take Questions Nos. 686 to 691, inclusive, and 697 together.

Officials in my Department met with the Trustees of the school to which the Deputies refer on 23 October and 21 December 2009. The Trustees expressed some concern about the future of the school and it is my understanding that they are considering a number of options in this regard. The Department understands that the Trustees have met with the Board of Management, staff and representatives of parents from the school to inform them of their concerns on its viability. Officials from my Department contacted the Trustees to clarify their intentions in December and are awaiting the outcome of their deliberations. When the Trustees have formally notified the Department of their intentions in relation to the future of the school, the matter will be considered further.

Third Level Access Programmes.

692. **Deputy Richard Bruton** asked the Minister for Education and Science if funding for third level access programmes in the Dublin universities for students from disadvantaged backgrounds are affected by budgetary cuts; the funding from his Department to each of the Dublin universities under this heading; the number of pupils assisted in each case; and if he will make a statement on the matter. [6499/10]

Minister for Education and Science (Deputy Batt O'Keeffe): The Third Level Access Measure provides support for disadvantaged students through two sub-priorities: the Student Assistance Fund and the Fund for Students with Disabilities. The objective of the Student Assistance Fund, is to assist students, in a sensitive and compassionate manner, who might otherwise, due to their financial circumstances, be unable to continue their third level studies. The Fund for Students with Disabilities provides funding to both further and higher education institutions for the provision of services and supports for full-time students with disabilities. The fund is managed by the Higher Education Authority on behalf of my Department and is funded under the National Development Plan, with assistance from the European Social Fund.

The Deputy will be aware that the need for budgetary adjustment has made it necessary to discontinue the Millennium Partnership Fund from the 2010/11 academic year. The fund was disbursed by local Partnership Companies, mostly in the form of small grants to individual students to cover costs of items such as books and travel. Most students in receipt of support from the fund will continue to be supported under the means-tested student maintenance grant schemes and many will benefit from the significantly higher special rate of grant. In addition, third level students in difficult financial circumstances will continue to have access to the Student Assistance Fund.

[Deputy Batt O’Keeffe.]

The Higher Education Authority also provides institutions with recurrent funding to develop the necessary infrastructure and programmes to support wider access for people with a disability, mature students and young people from socio-economically disadvantaged backgrounds. The table below outlines the funding provided under the Student Assistance Fund to Dublin-based institutions for the 2009/10 academic year.

SAF Allocations 2009-10 — Dublin-based Institutions

Institution	€
DIT	379,872
ITB	12,168
IT Tallaght	76,176
DLIADT	55,008
UCD	607,500
TCD	464,832
DCU	247,824
St. Pat’s Drumcondra	73,044
Marino College	13,176
COI College	3,348
Froebel College	9,432
National College Ireland	35,172
RCSI	18,252
Mater Dei	13,068
NCAD	31,644

Residential Institutions Redress Scheme.

693. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of children that were transferred to a Magdalene laundry from a State-regulated institution; the number of applications received by the Residential Institutions Redress Board which claim redress on the basis of section 1(3) of the Residential Institutions Redress Act 2002; and if he will make a statement on the matter. [6505/10]

695. **Deputy Tom Kitt** asked the Minister for Education and Science the number of children who were transferred to a Magdalene laundry from a State-regulated institution; the number of survivors that have applied to the Residential Institutions Redress Board on the basis of section 1(3) of the Residential Institutions Redress Act 2002. [6604/10]

696. **Deputy Tom Kitt** asked the Minister for Education and Science if he will enter into dialogue with the four religious congregations involved with the Magdalene laundries in order that they will make available their records for all women and children entering Magdalene laundries after 1 January 1900. [6605/10]

715. **Deputy Ruairí Quinn** asked the Minister for Education and Science if he will account for each child confined to a Magdalene laundry since the foundation of the State; and if he will make a statement on the matter. [6836/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 693, 695, 696 and 715 together.

As the Deputies are aware the Magdalen Laundries were privately owned and operated institutions which were not subject to State regulation or inspection and, as a consequence, are not scheduled institutions for the purposes of the Residential Institutions Redress Act 2002. However, in recognition of the fact that some children were transferred from institutions specified for the purposes of the Schedule to the Act, to laundries, section 1(3) of the Residential Institutions Redress Act 2002 provides that a child who was resident in a scheduled institution and who was transferred to a laundry where they suffered abuse while so resident, will be deemed, at the time of the abuse to have been resident in the scheduled institution.

My Department does not hold information on the number of applications made to the Residential Institutions Redress Board where applicants were transferred from scheduled institutions to laundries. The Board is entirely independent in the performance of its functions.

My Department does not have details of every child who was placed in a laundry. In relation to the number of children that were transferred to a Magdalen Laundry from a State regulated institution (scheduled institution), my Department only maintains records on those children who were admitted to Industrial & Reformatory Schools via the Courts. Some of these records may indicate instances of children being transferred to Laundries. My Department is currently reviewing these records in an attempt to identify the incidence of this practice within the records available to the Department. My Department does not generally hold any records in relation to children who may have been otherwise placed in the Industrial and Reformatory schools, e.g. voluntary placements, Health Authority referrals, etc. nor indeed would my Department hold any records in respect of former residents of the remaining scheduled institutions. Consequently, any records which my Department holds would not be a true reflection of the numbers involved and could not be relied upon to accurately quantify the numbers.

I wish to advise the Deputies however that officials at my Department recently met with a delegation representing the Justice for Magdalenes Group. At that meeting, my Department indicated its willingness to facilitate requests from individuals who were transferred to a Laundry from either an Industrial or Reformatory School subject to confidentiality requirements for personal data.

Turning to the question of records held by the religious congregations who owned and operated the Magdalen Laundries, like my colleague the Minister for Justice, Equality and Law Reform, I have no legal authority to instruct them to provide full access to their records. It is a matter for each individual congregation, having regard to any requirements of the data protection legislation. The Deputies will be aware that when recommending the continuation of family tracing services, the Commission noted that the right of access to personal documents and information must be recognised and afforded to ex-residents of institutions. In this context, my Department continues to provide individuals access to their personal records under the terms of the Freedom of Information Acts.

As can be seen from the above, while it is not possible for my Department to account for each child confined to a Magdalen Laundry since the foundation of the State, my Department will assist individuals in respect of whom it may hold records. My officials are continuing to liaise with the Department of Justice, Equality and Law Reform regarding its ongoing inquiries in relation to the role of the criminal justice system in referring individuals to Magdalen Laundries.

Higher Education Grants.

694. **Deputy Kathleen Lynch** asked the Minister for Education and Science the reason 1,500 applicants for higher education grants from Cork County Council have yet to be processed; and if he will make a statement on the matter. [6602/10]

Minister for Education and Science (Deputy Batt O’Keeffe): As at 5 February 2010 Cork County Council had received a total of 2,140 grant applications for the academic year 2009/2010. This is an increase in applications of 32%. A decision has been reached on 1,107 applications. A total of 85 applications have yet to be assessed and these applications were received after the closing date. A significant number of outstanding grant applications (948 applicants) have not been processed in full because the applications were incomplete or further information was required.

Questions Nos. 695 and 696 answered with Question No. 693.

Question No. 697 answered with Question No. 686.

Question No. 698 answered with Question No. 652.

Schools Building Projects.

699. **Deputy Emmet Stagg** asked the Minister for Education and Science if he will sanction funding for the provision of a required extension to a school (details supplied) in County Kildare. [6655/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding. The application have been assessed in accordance with the published criteria for large scale capital projects and has been assigned a Band 2 rating. Information in respect of the current school building programme along with assessed applications for major capital works, including the project referred to by the Deputy, are now available on my Department’s website at www.education.ie.

The progression of all large scale building projects, including the project in question, from initial design through to construction phase will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme. However in light of current competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

700. **Deputy Finian McGrath** asked the Minister for Education and Science if he will respond to a query (details supplied). [6660/10]

Minister for Education and Science (Deputy Batt O’Keeffe): In 2009, it was estimated that the budget for building projects in schools and higher education institutions had the capacity to sustain almost 5,000 direct jobs in the construction sector. This was based on an estimate by industry analysts that 9.3 is the average number of direct jobs created annually by €1 million of investment. The specific project to which the Deputy refers is currently at an advanced stage of architectural planning. Representatives from the school and its design team recently attended a briefing by my Department on the requirements for completing stage 2(b) of architectural planning, following which the project was approved to progress to stage 2(b).

The proposed building project will be considered in the context of the Department’s multi-annual School Building and Modernisation Programme for 2010 and subsequent years. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the delivery of the project at this time.

Question No. 701 answered with Question No. 655.

Special Educational Needs.

702. **Deputy Ruairí Quinn** asked the Minister for Education and Science the number of special needs assistants that have been relieved of their posts from a school (details supplied) in County Tipperary; his views on reversing the cutback in view of the fact that many pupils require one to one attention; and if he will make a statement on the matter. [6666/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The Deputy will be aware that the National Council for Special Education (NCSE), through its network of Special Educational Needs Organisers (SENOs), is at present carrying out a review of Special Needs Assistant (SNA) allocations in all schools with a view to ensuring that the criteria governing the allocation of such posts, as outlined in my Department’s Circular 07/02, are properly met. This is an exercise in identifying surplus posts which are in the system and which do not meet the current criteria — posts that have been retained when a pupil’s care needs have diminished or where the pupil has left.

The allocation for any school, and any adjustments to that allocation, depends on a number of factors such as the number of pupils with care/medical needs leaving, the number of new pupils, the changing needs of the pupils and any surplus identified. Furthermore, schools can make applications at any time with the result that the individual situation of any school can change and allocations are not static for a school year in the same way as are, for example, classroom teaching posts. The NCSE is independent in the making and issuing of its decisions relating to SNA allocations. The NCSE has advised that the review will be completed by end March 2010. At that point, the NCSE will provide me with a report on the outcome of the review. I wish to assure the Deputy that SNA support will continue to be made available to schools which have enrolled pupils who qualify for such support.

Schools Building Projects.

703. **Deputy Bobby Aylward** asked the Minister for Education and Science if he will appoint a design team to progress the application for an extension and refurbishment works to a school (details supplied) in County Kilkenny in view of the fact that the population in the catchment area has increased by 70% on the previous census and the increase of pupils attending this school has warranted the appointment of an additional teacher from September 2010; and if he will make a statement on the matter. [6682/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I can confirm that the school to which the Deputy refers has made an application to my Department for large scale capital funding. The application has been assessed in accordance with the published criteria for large scale capital projects and has been assigned a Band 2 rating. Information in respect of the current school building programme along with assessed applications for major capital works, including the project referred to by the Deputy, are now available on my Department’s website at www.education.ie.

The progression of all large scale building projects, including the project in question, from initial design through to construction phase will be considered in the context of my Department’s multi-annual School Building and Modernisation Programme. However in light of current competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the progression of the project at this time. In the meantime, it is open to the school authority to apply for temporary accommodation, if the need arises, pending the delivery of its large scale building project.

704. **Deputy Seán Fleming** asked the Minister for Education and Science if he is satisfied that all payments in respect of a contract signed by his Department in respect of a project (details supplied) in County Laois have been fully utilised directly on the project; if there is a mechanism in place to ensure that all persons who are suppliers for the project will be paid in respect of material and services provided for the project which is the subject of a contract signed by his Department; and if he will make a statement on the matter. [6688/10]

Minister for Education and Science (Deputy Batt O’Keeffe): My Department entered into a contract with the main contractor to deliver a new school building for the school referred to by the Deputy. All certificates for payment which have been presented to my Department have been paid to the main contractor in accordance with the contract. No contractual relationship exists between my Department and any of the sub-contractors on this project. In this regard it is a matter for sub-contractors to agree terms and conditions for payment with the main contractor or other sub-contractors on this project.

Question No. 705 answered with Question No. 678.

Student Support Schemes.

706. **Deputy Michael Noonan** asked the Minister for Education and Science if financial assistance will be available for a person (details supplied) in County Limerick pursuing a full-time course; and if he will make a statement on the matter. [6714/10]

Minister for Education and Science (Deputy Batt O’Keeffe): Under the terms of the Third Level Student Support Schemes, a student is not eligible for grant assistance in respect of a second period of study at the same level, irrespective of whether or not a grant was paid previously. The decision on eligibility for student grants is a matter for the relevant assessing authority, i.e. the Local Authority or VEC. These bodies do not refer individual applications to my Department except, in exceptional cases, where, for example, advice or instruction regarding a particular clause in the relevant scheme is required.

If an individual applicant considers that she/he has been unjustly refused a maintenance grant, or that the rate of grant awarded is not the correct one, she/he may appeal, in the first instance, to the relevant local authority or VEC. Where an individual applicant has had an appeal turned down, in writing, by the assessing authority, and remains of the view that the body has not interpreted the schemes correctly in her/his case, an appeal form outlining the position may be submitted by the applicant to my Department. No appeal has been received by my Department to date from the candidate referred to by the Deputy.

Support may be available through the Student Assistance Fund which is designed to assist students who, having commenced a third-level course, experience financial hardship that may render them unable to continue their third-level studies. Information on the Fund is available from the Access Officer at the candidate’s College. In addition, Section 473A Taxes Consolidation Act 1997 provides for tax relief on tuition fees, at the standard rate of tax in respect of approved courses at approved colleges of higher education including certain approved undergraduate and postgraduate courses in EU and non-EU member states. Further details on claiming this relief are available from the candidate’s local tax offices or on Revenue’s website at <http://www.revenue.ie>.

Pension Provisions.

707. **Deputy Tom Hayes** asked the Minister for Education and Science the number of teachers, broken down by male and female, that are in receipt of a pension in the 55 to 60

years, 60 to 70 years, 70 to 80 years and over 80 years age group; and if he will make a statement on the matter. [6717/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The information sought by the Deputy, on the age and gender of categories of pensioned primary, secondary, community and comprehensive teachers is set out in a Tabular Statement. The figures for second level teacher do not include pensioned VEC teachers where the retirement awards are made by the relevant VEC.

Number of pensioned female and male teachers by age category — February 2010.

Age Category	Retired Primary Teachers		Total number of retired Primary Teachers in Category	Retired Secondary, Community & Comprehensive Teachers		Total number of Retired Secondary, Community & Comprehensive Teachers in Category
	Female	Male		Female	Male	
Age 55 years but under Age 60	929	401	1,330	665	432	1,097
Age 60 years but under age 70	3,359	1,143	4,502	1,822	1,987	3,809
Age 70 years but under age 80	2,914	768	3,682	981	891	1,872
Age 80 years and over	1,099	238	1,337	568	183	751
Total	8,301	2,550	10,851	4,036	3,493	7,529

School Placement.

708. **Deputy Alan Shatter** asked the Minister for Education and Science if his attention has been drawn to the fact that a family (details supplied) that moved to Dublin from Cork in December 2009 has been unable to obtain school places for their children having applied to seven second level schools in the vicinity of their home in Dublin 16 and that the earliest places offered to the children are for September 2010; if his further attention has been drawn to the fact that these children have now not attended school for two months; the educational facilities that will be provided for these children; and if he will make a statement on the matter. [6741/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The question of enrolment in individual schools is the responsibility of the managerial authority of those schools. My Department’s main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking places. This may result, however, in some pupils not obtaining a place in the school of their first choice.

It is the responsibility of the managerial authorities of schools to implement an enrolment policy in accordance with the Education Act, 1998. In this regard a Board of Management may find it necessary to restrict enrolment to children from a particular area or a particular age group or, occasionally, on the basis of some other criterion. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants. Under section 15(2)(d) of the Education Act 1998, each school is legally obliged to disclose its enrolment policy and to ensure that as regards that policy that principles of equality and the right of parents to send their children to a school of the parents choice are respected.

[Deputy Batt O’Keeffe.]

Section 29 of the Education Act 1998, provides parents with an appeal process where a Board of Management of a school or a person acting on behalf of the Board refuses enrolment to a student. Where a school refuses to enrol a pupil, the school is obliged to inform parents of their right under Section 29 of the Education Act 1998 to appeal that decision to either the relevant Vocational Educational Committee or to the Secretary General of my Department.

The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. If the NEWB is furnished with the family’s contact details, the Board will contact the parents in this regard. The Board can be contacted at National Educational Welfare Board, National Headquarters, 16-22 Green Street, Dublin 7 or by telephone at 01-8738700. Home Tuition support may be provided, on application, as a temporary interim measure, for pupils who do not have a school placement or are unable to secure a school place.

Schools Building Projects.

709. **Deputy Noel J. Coonan** asked the Minister for Education and Science the number of north Tipperary schools that have applied for and are awaiting capital funding for school building projects; the band rating and stage of these projects; the works that are to be carried out; the date of first application; and if he will make a statement on the matter. [6767/10]

Minister for Education and Science (Deputy Batt O’Keeffe): Information in respect of the current school building programme along with all assessed applications for major capital works are now available on the Department’s website at www.education.ie. Details are attached for the particular schools to which the Deputy refers. The priority attaching to individual projects is determined by published prioritisation criteria, which were formulated following consultation with the Education Partners. There are four band ratings under these criteria, each of which describes the extent of accommodation required and the urgency attaching to it. Band 1 is the highest priority rating and Band 4 is the lowest. Documents explaining the band rating system are also available on the Department’s website.

The progression of all large scale building projects from initial design stage through to construction will be considered in the context of the school building and modernisation programme. However, in view of the level of demand on the Department’s capital budget, it is not possible to give an indicative timeframe for the progression of individual school projects at this time.

County	Roll Number	School Name	Current Status	Application For	Band Rating
Tipperary	65240L	Presentation Secondary School, Ballingarry, Thurles	In advanced Architectural Planning	Extension/Refurb	2
Tipperary	65440T	Our Lady's Secondary School, Templemore	In early Architectural Planning	Extension/Refurb	2
Tipperary	65470F	Ursuline Secondary School, Thurles	In advanced Architectural Planning	Extension/Refurb	2
Tipperary	72370P	Borrisokane Community College, Borrisokane, Co. Tipperary	In advanced Architectural Planning	Extension/Refurb	2
Tipperary	72430H	Scoil Ruaine, Killenaule	In advanced Architectural Planning	PE Hall	4
Tipperary	72440K	Nenagh Vocational School	In advanced Architectural Planning	Extension/Refurb	2
Tipperary	00590A	Borrisoleigh BNS	Application	Extension/Refurb	3
Tipperary	01594N	St. Johns Roscrea	Application	Extension/Refurb	2
Tipperary	04005G	SN Naomh Peadar Horse and Jockey	Application	Extension/Refurb	2
Tipperary	09190G	Boher NS, Ballina	Design Team to be appointed	Extension & SNU	1
Tipperary	12540B	Clonmore NS, Templemore	Application	Extension/Refurb	2
Tipperary	14460N	Killea NS, Templemore	Application	Extension/Refurb	3
Tipperary	15560W	Bishop Harty NS, Ballinree	Application	Extension/Refurb	2
Tipperary	16211C	Two Mile Borris NS	Application	Extension	2
Tipperary	16276H	Carrig NS, Ballycommon, Nenagh	Design Team to be appointed	Extension/Refurb	2
Tipperary	16344V	St. Mary's Jnr BNS, Nenagh	Application	Extension/Refurb	2
Tipperary	16810B	Eochaille Ara, NS, Newtown	Application	Extension/Refurb	2
Tipperary	16835R	SN Naomh treasa, Borrisoleigh	Application	Extension/Refurb	2
Tipperary	17244W	SN Naomh Ruadhain, Lorrha	Application	Extension/Refurb	3
Tipperary	17296S	SN Baile Na Hinse, Birdhill	Application	Extension/Refurb	2
Tipperary	17703F	SN Ard Croine, Nenagh	Application	Extension/Refurb	3
Tipperary	18135W	Scoil Angela, Ursuline Convent	Application	Extension/Refurb	2

County	Roll Number	School Name	Current Status	Application For	Band Rating
Tipperary	18213Q	SN Leamhach, Thurles	Application	Extension/Refurb	2
Tipperary	18322V	Sn An Droma, Thurles	Application	Extension/Refurb	2
Tipperary	18345K	SN iosaf Noafa, Cor An Bhile	Application	Extension/Refurb	2
Tipperary	18369B	Kilruane NS, Nenagh	Application	GP Hall	4
Tipperary	18379E	Barnane NS, Templemore	Application	Extension/Refurb	2
Tipperary	18435L	Sacred Heart Primary School, Roscrea	Design Team to be appointed	Extension/Refurb	2
Tipperary	18443K	Sn Iosef Naofa, Eaglais	Application	Extension/Refurb	3
Tipperary	18775M	Sn Micheal Noafa	Application	Extension/Refurb	2
Tipperary	19370O	St. Annes Special School, Roscrea	Application	Extension/Refurb	1
Tipperary	19422H	Cloughjordan No. 1 NS	Application	Extension/Refurb	4
Tipperary	19937R	Gaelscoil Aonach Bothar Noamh Chonlain	Application	Extension/Refurb	3
Tipperary	20062K	Scoil Mhuire Borrisokane	Application	Extension/Refurb	3
Tipperary	20198M	Templemore NS	Application	Extension/Refurb	1
Tipperary	65380E	St. Mary's Secondary School, Nenagh	Application	Extension/Refurb	2
Tipperary	65460C	Presentation Secondary School, Thurles	Application	Extension/Refurb	2
Tipperary	72450N	St. Joseph's College, Newport	Application	Extension/Refurb	2
Tipperary	72470T	St. Sheelan's College, Templemore	Application	Extension/Refurb	2
Tipperary	72490C	Vocational School Castlemeadows	Application	Extension/Refurb	2
Tipperary	76069P	Colaiste Phobáil, Roscrea	Application	Extension/Refurb	2

710. **Deputy Noel J. Coonan** asked the Minister for Education and Science the position regarding the provision of a primary school (details supplied) in County Tipperary; his views on a submission sent to him via e-mail outlining the reason there is a need for a school in the area; and if he will make a statement on the matter. [6768/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The Forward Planning Section of my Department is in the process of carrying out detailed analysis of over 40 locations of highest population growth in order to identify the school accommodation requirements up to and including the school year 2014/2015. When the required reports have been completed for these initial areas selected the Forward Planning Section will continue to work on preparing reports on a priority basis for the remainder of the country. Overall primary accommodation requirements in Tipperary, including the area referred to by the Deputy will be considered in this regard.

Question No. 711 answered with Question No. 656.

Special Educational Needs.

712. **Deputy Joe Behan** asked the Minister for Education and Science if he will instigate a pilot scheme to allow schools the option to top up the social welfare income of special needs assistants who have been made redundant thereby allowing the schools to retain the services of the special needs assistant; and if he will make a statement on the matter. [6789/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I have no plans to instigate a pilot scheme along the lines suggested by the Deputy. There has been no change to the scheme under which posts of Special Needs Assistants (SNAs) are allocated to schools to enable them to support the care needs of pupils with disabilities. Schools, which have enrolled pupils who qualify for support under this scheme, will continue to be allocated SNA posts. However, where the pupils concerned have left the school or where the care needs of the pupils have diminished, the SNA posts will be suppressed.

School Accommodation.

713. **Deputy Bernard J. Durkan** asked the Minister for Education and Science if he or his Department has received an application for extra temporary classroom accommodation urgently required by a school (details supplied) in County Kildare in view of the fact that it has 30 extra students on the waiting list who are in the school catchment area and are entitled to a place there; his plans to address this matter; and if he will make a statement on the matter. [6816/10]

Minister for Education and Science (Deputy Batt O’Keeffe): My Department has recently received an application for additional temporary accommodation, from the authorities, of the school in question. This application is currently under consideration and the school authorities will be contacted when a decision has been made.

State Examinations.

714. **Deputy Bernard J. Durkan** asked the Minister for Education and Science if medical or psychological assessment will be undertaken in respect of a person (details supplied) in County Kildare; if, in conjunction with his general practitioner, information will be obtained as to whether this behaviour was in any way attributable to their medication or alteration to his medication together with the Department’s psychological service and or the Health Service

[Deputy Bernard J. Durkan.]

Executive; if he will offer the necessary facilities to ensure that the student will sit his leaving certificate examination and that every possible support will be availed of to enable him to do so; and if he will make a statement on the matter. [6827/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I can inform the Deputy that all primary and post primary schools have access to psychological assessments either directly through my Department’s National Educational Psychological Service (NEPS) or through the Scheme for Commissioning Psychological Assessments (SCPA) which is administered by NEPS. NEPS in common with other psychological services encourages a staged assessment process whereby each school takes responsibility for initial assessment, educational planning and remedial intervention, in consultation with their assigned NEPS psychologist. Only if there is a failure to make reasonable progress in spite of the school’s best efforts, will a student be referred for individual psychological assessment. This system allows the psychologists to give early attention to urgent cases and also to help many more students indirectly than could be seen individually.

Students who manifest very special or urgent needs in school and who have not been previously assessed by a psychologist and are brought to the attention of a NEPS psychologist by the Principal teacher will usually be assessed by the psychologist as soon as practicable. Normally, principals of schools prioritise those students in need of psychological assessment in consultation with the assigned psychologist. I have checked on the matter with the NEPS service and the student in question has not been brought to the attention of the assigned psychologist by current school authorities. I would suggest that an approach be made to the relevant school principal in the first instance in this connection. Obviously the exchange of any information in relation to the student’s education or medical condition would be a matter for the student, his parents, the school authorities and the relevant medical practitioner(s).

The Deputy will be aware, that under Section 29(1) of the Education Act 1998, where a school Board of Management permanently excludes a student from school, suspends a pupil from attendance at a school for a period as prescribed in the Act (20 days), the parent of the student may appeal that decision to the Secretary General of the Department of Education, and have that appeal heard by a committee appointed for that purpose.

Question No. 715 answered with Question No. 693.

National Drugs Strategy.

716. **Deputy Terence Flanagan** asked the Minister for Education and Science his views on the cutbacks imposed on a service (details supplied) in Dublin 17 in view of the negative effect they will have on individuals, families and the community concerned; and if he will make a statement on the matter. [6837/10]

717. **Deputy Terence Flanagan** asked the Minister for Education and Science his views on the amount of funding received by a service (details supplied) in Dublin 17 over the past five years; and if he will make a statement on the matter. [6838/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I propose to take Questions Nos. 716 and 717 together.

My Department provides funding for thirty eight projects in Local Drugs Task Force areas, including the project specifically referred to by Deputy Flanagan. Allocations for this project over the past five years, and for 2010, are as follows:

2005 — €166,363;

2006 — €175,036;

2007 — €182,038;

2008 — €182,038;

2009 — €182,038;

2010 — €151,091.

Arising from Budget 2010, it was decided that funding for these projects was to be reduced from €3,643,000 in 2009 to €2,461,000 in 2010 and to cease from 2011. I acknowledge the difficulties arising for projects and my Department is currently reviewing the implications of this decision for the individual projects concerned. The review, which involves a detailed examination of all 38 projects, is not as yet completed.

Special Educational Needs.

718. **Deputy Joe Behan** asked the Minister for Education and Science if he has received the report of the review of the role and operation of special schools and special classes; if he has been briefed on its content and conclusions; when he will publish the report; and if he will make a statement on the matter. [6953/10]

Minister for Education and Science (Deputy Batt O’Keeffe): I understand that the National Council for Special Education (NCSE) expects to be in a position shortly to send me a copy of the research it has commissioned concerning the role of special schools and special classes. While the NCSE has funded this research, it states clearly on its website, and the final research item will state, that the views and opinions contained in such research reports are those of the authors and do not necessarily reflect the views or opinions of the NCSE. Ultimately, it is expected that advice received from the NCSE will assist my Department with policy formulation in relation to the role of special schools and special classes. I look forward to receiving the report from the NCSE.

Information Technology in Schools.

719. **Deputy Brian Hayes** asked the Minister for Education and Science if the information, communication and technology needs assessment was carried out in individual primary or secondary schools prior to the development of the smart schools equal smart economy plan; and if he will make a statement on the matter. [7016/10]

Minister for Education and Science (Deputy Batt O’Keeffe): The “Smart Schools = Smart Economy Report”, published late last year, builds on the 2008 ICT Strategy Group Report “Investing Effectively in Information and Communications Technology in Schools” which was produced by a Strategy Group comprised in the main of education professionals who were working on a daily basis in schools and colleges; in addition the group consulted widely. This Strategy Group Report provides a clear direction to inform actions to further the integration of ICT into teaching and learning in our schools.

The Framework for Sustainable Economic Renewal, Building Ireland’s Smart Economy, reiterates Government policy to enhance the role of ICT in the education system, working in partnership with industry, to invest further in the provision of equipment and connectivity. The Joint Advisory Group was set up with industry to explore initiatives in regard to this. The Joint Advisory Group, in producing the Smart Schools = Smart Economy Report, did not carry out

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individual ICT needs assessments but reviewed the Strategy Group Report and drew on existing verified data regarding level and use of ICT in schools, in reaching its conclusions. In particular, the Group reviewed the following studies — the European Commission’s 2006 survey on the use of computers and the internet in schools, the 2005 census of schools carried out by the National Centre for Technology in Education, and the OECD’s Programme for International Student Assessment (PISA) 6 study in 2006 which contained some questions on computer use in schools.

I am in the process of setting up an ICT Steering Group to oversee and advise on the implementation of the recommendations of the Smart Schools Report. I have invited nominees from a broad cross-section of the education sector as well as the relevant Government Departments to participate in this group and to contribute to addressing the ICT needs of schools.

Question No. 720 answered with Question No. 661.

Departmental Programmes.

721. **Deputy Fergus O’Dowd** asked the Minister for Education and Science the number of civil and public servants that have signed up for the cycle-to-work scheme; the cost of the scheme to date in 2010. [7572/10]

Minister for Education and Science (Deputy Batt O’Keeffe): My Department introduced the Cycle to Work Scheme in July 2009 and to date 37 staff members have participated in the scheme. The administrative cost to my Department is minimal having regard to the number of participants in the scheme and the fact that payment to the suppliers and salary deductions are performed electronically. Information in relation to applications received from teaching and non teaching staff is not currently available. Relevant information will be forwarded to the Deputy directly when it becomes available.