



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Leaders' Questions	851
Order of Business	862
EU Parliament and Council Decisions: Motion	868
Double Taxation Agreements: Motions	868
National Pensions Reserve Fund Act 2000: Motion	869
Defence Forces Report: Motion	870
Council of Europe: Appointment of Representatives	870
Transport (Córas Iompair Éireann and Subsidiary Companies Borrowings) Bill 2012 [Seanad]: Report and Final Stages	870
Houses of the Oireachtas Commission (Amendment) (No. 2) Bill 2012 [Seanad]: Second Stage	870
Topical Issue Matters	884
Houses of the Oireachtas Commission (Amendment) (No. 2) Bill 2012 [Seanad]: Second Stage (Resumed)	884
Houses of the Oireachtas Commission (Amendment)(No. 2) Bill 2012 [Seanad]: Committee and Remaining Stages	901
Civil Defence Bill 2012 [Seanad]: Report and Final Stages	904
Civil Registration (Amendment) Bill 2012 [Seanad]: Second and Subsequent Stages	912
Topical Issue Debate	926
Family Resource Centres	927
Garda Stations	930
National Positive Ageing Strategy	934
Taxi Regulations	938
Ceisteanna - Questions	941
Priority Questions	941
Air Services	941
Taxi Regulations	943
Regional Airports	944
Tourism Industry	946
North-South Ministerial Council	948
Other Questions	950

DÁIL ÉIREANN

Déardaoin, 20 Nollaig 2012

Thursday, 20 December 2012

Chuaigh an Ceann Comhairle i gceannas ar 10.30 a.m.

Paidir.
Prayer.

Leaders' Questions

Deputy Micheál Martin: Ar dtús, ba mhaith liom a rá, ar mo shon fhéin agus ar son mo pháirtí, Nollaig faoi shéan agus faoi mhaise duit féin, a Cheann Comhairle, do Bhaill an Tí agus do gach éinne atá ag obair anseo. Táimid go léir fíor-bhuíoch dóibh as ucht an méid a dhéanann siad ar ár son. Nollaig faoi shéan duit féin agus don Tánaiste. Maraon liom féin, tá an Tánaiste ag súil leis an Nollaig agus leis an bhfaoiseamh agus an sos beag atá ag teacht

The Tánaiste: Gan dabht.

Deputy Micheál Martin: After extending season's greetings and hoping the Tánaiste will have an enjoyable, restful and peaceful Christmas, which I am sure he needs, like all of us, I wish to raise a very serious issue relating to people with disabilities. Looking back on 2012, it is fair to say we have witnessed a significant attack on services for people with disabilities, with cuts across the board. There has been much fear and anxiety developing among parents and families of people with special needs and disabilities. It has been a sustained attack, leading to fear and frustration.

For example, 700 school leavers have no guarantees of getting a place for essential services and the issue is still not satisfactorily resolved. There have been cuts to special needs assistants across the country, with a 15% cut to resource teaching hours and a very ruthless review of the domiciliary care allowance, with up to 63% of all applications rejected in the first six months of 2012 and 50% of children with autism refused a domiciliary care allowance. Last year the Government was forced into a review of cuts it had announced to disability payments. We also witnessed the debacle of the Minister for Health, Deputy James Reilly, in August, when he cut €10 million from personal assistants and people had to camp overnight to get the cut reversed.

There was a further slash and burn cut of €1 million in home help hours, which again affected people with disabilities. That was followed in this budget by a callous 20% cut in the respite care grant. On this side of the House we have noticed a terrible tightening of the screw with medical cards, particularly for children with special needs and children with life-challeng-

ing conditions. Such people are now being refused medical cards. When one considers the entire year, the picture is one of targeting people with disabilities, with a removal of any sense of guarantee or comfort.

We acknowledge the difficulty of the finances for 2013. There should be, however, a resolve to protect people with special needs and disabilities in our society. I know the Minister of State, Deputy Kathleen Lynch, at the time of the announcement of the Estimates was not in a position to guarantee that there would not be further cutbacks in 2013 for the disability sector. The HSE service plan is due to be published. Will the Tánaiste guarantee there will not be cuts to people with disabilities and special needs? In particular, will he guarantee there will be places in services for those who leave second level schooling in 2013?

The Tánaiste: Ba mhaith liom aontú leis an Teachta Ó Máirtín agus le gach uile Teachta sa Dáil, agus Nollaig shona a bhronnadh ort féin, a Cheann Comhairle, ar gach Ball den Teach agus ar gach uile dhuine a oibríonn anseo i dTeach Laighean. I join with Deputy Martin in wishing the Ceann Comhairle a happy Christmas.

Deputy Emmet Stagg: He needs a rest.

The Tánaiste: I also wish a happy Christmas to all the party leaders, Members, the staff of the House and those who work in the press and in servicing the work of Leinster House. I also extend greetings to those who work in our political parties and in our offices. We have had a pretty intense time since the Dáil resumed in early September and everybody is agreed that a period of rest and reflection is due to everybody in the House.

There is a degree of fear and worry among people with disabilities and those who care for them or are close to them. It is a responsibility for all of us to ensure this sense of fear and worry is not added to. When we address the issue of the services provided for people with disabilities, we should do so in a reasoned way, and no Member should seek to exploit any issue relating to disabilities. We should work collectively to address those needs.

Deputy Martin raised a number of issues. The total amount budgeted for disability-related services in the Department of Health alone is approximately €1.4 billion. He also referred to medical cards. Currently, 42% of the population have medical cards in addition to those who hold general practitioner only cards.

On places in education, I understand the 700 persons to whom Deputy Martin referred who left the education system have been accommodated. There has not been any reduction in the basic payments which are made to people with disabilities and those who care for them. I agree it should be a priority for all of us that provision is made for people with disabilities. There is a requirement that the service plan for the Health Service Executive is produced and submitted to the Minister within 21 days of the Estimates being announced. There is then a period of 21 days within which the service plan must be agreed. This process will be worked on over the next number of weeks and I assure Deputy Martin that, as far as the Government is concerned, provision for people with disabilities and those who care for them is a priority.

Deputy Micheál Martin: The key issue in the service plan is whether it will include a cut in resources to service providers. They believe this may be the case and they have been clear that they cannot take any more. The demographic funding that was provided for school leavers was removed in its entirety last year and not all of the school leavers were adequately dealt with. I raised a complex case in the House concerning a young a child who is still awaiting adequate

and proper provision by the Department of Health and Health Service Executive. Details of the case have been provided to the Ministers concerned and the Taoiseach. The removal of funding is the reason the child in question is not being properly accommodated. I have spoken to HSE officials about this matter and they are at the end of their tether. This is one example of the inadequate manner in which school leavers were dealt with last year.

The programme for Government states the Government will “ensure that the quality of life of people with disabilities will be enhanced and that resources allocated will reach the people who need them”. It continues: “We will facilitate people with disabilities in achieving a greater level of participation in employment, training and education”. In 2012, the opposite was the case for people with disabilities and special needs across the areas I outlined. The domiciliary care allowance, in particular, has been the subject of a ruthless review. Many parents of children with autism cannot understand the reason they have been refused domiciliary care allowance. Half of them are being refused the allowance, with 63% of overall applications being excluded under the review.

Will the Tánaiste guarantee the service plan will not include a cut to the funding provided to the service providers? Will he guarantee that the 700 children who will leave second level education in September 2013 will all have a place and funding will be provided to the service providers to ensure these children and young people are provided with appropriate placements?

The Tánaiste: The service plan has not yet been completed. As I indicated, there is a process by which the plan is developed. The first part of this is the preparation and submission to the Minister for Health of a service plan by the Health Service Executive, after which the Minister has a period of time in which to consider the plan. In advance of seeing the service plan, none of us can speculate about what will be in it.

Deputy Micheál Martin: The Tánaiste could try to influence it.

The Tánaiste: I agree that the needs of people with disabilities must be adequately provided for. It is the view and priority of the Minister for Health and the Minister of State with responsibility for people with disabilities, Deputy Kathleen Lynch, that this should be done. One of the ways in which this is done is to ensure planning is done. This was not the case in the past but it is now being done. It is possible to plan ahead to anticipate what will be the educational and training needs of a person with disability at the different stages at which they need to access services. This is the approach being taken by the Minister of State, Deputy Kathleen Lynch, who is ensuring a plan is in place and is being worked on ahead, rather than being operated on a year-to-year basis. By doing this, we provide certainty for people with disabilities and their families that their needs will be addressed.

Deputy Micheál Martin: Service providers have their plans and know what lies ahead.

Deputy Mary Lou McDonald: I, too, wish everyone who works in the Houses of the Oireachtas, the Deputies gathered in the Chamber and their families and those viewing proceedings at home a very happy Christmas. Nollaig shona daoibh go léir.

On 26 September, Deputy Róisín Shortall resigned her junior Ministry in the Department of Health. On 25 October, almost one month later, I raised with the Tánaiste concerns about a meeting on 20 April last between the Minister for Health, Deputy James Reilly, and representatives of the National Asset Management Agency on the primary care centre in Balbriggan. On that occasion, the Tánaiste defended the Minister and informed me he could not track the diaries

of every Minister, the persons Ministers met, when they met them and so forth and nor did he have any wish to do so. It now emerges from the briefing document prepared for the Minister prior to the meeting with NAMA, a copy of which my party acquired through a freedom of information request submitted by Deputy Pearse Doherty, that the specific site in Balbriggan was discussed at the meeting. The site, as the Tánaiste is aware, is owned by a Fine Gael Party supporter, Mr. Seamus Murphy and is to be developed by Fine Gael Party donor, Mr. A. J. Noonan. It was also used by the Minister as an election office. The Minister was well aware that his Fine Gael Party colleagues were concerned to develop the site as a primary health care centre. In contact between the developer and HSE it was indicated that the prospect of developing it was in jeopardy. To use the words of the relevant e-mail, which was sent on 17 April, the developer was making “a last throw of the dice”. The site was then discussed on 20 April at a meeting between the Minister and representatives of the National Asset Management Agency. While the specific address is not given, it is very clear where the site is located. The document states: “A developer has identified a site in the town which is being used as a surface car park.” Lo and behold, on the night before the priority list of primary care centres was to be announced, the Balbriggan location found its way on to the list of primary care centres. This decision confers considerable financial advantage on both the owner and developer.

The document my party has acquired openly contradicts the Minister’s claim that he had no hand, act or part in the selection of the Balbriggan site. Some months on from these events, does the Tánaiste believe the Minister’s claim of innocence in this escapade? Does he still believe he is suitable to continue in office as Minister for Health? In light of the information that has since come into the public domain, does the Tánaiste still have confidence in the Minister and does he still give him the balance of credibility over and above that of Deputy Róisín Shortall?

The Tánaiste: This is trawling over material that has been discussed in the House a number of times. I told the House previously that I had discussed this issue with the Minister for Health, Deputy James Reilly, the Secretary General of his Department and chief executive officer of the Health Service Executive who assured me that there was no political involvement of any kind in any individual site.

An internal audit of primary care centres was conducted. A review of departmental files and other documents was undertaken in early October by the internal audit unit, IAU, at the request of the Secretary General. The purpose of the review was to determine whether any documentation generated from 2011 to date would connect the Minister, Deputy Reilly, any of his advisers or anyone acting on behalf of the Minister to the selection of sites for the proposed primary care centres in Balbriggan and Swords. The scope of the request did not relate to any policy decision to locate a centre in either town. The checks carried out by the internal audit unit confirmed that no documentation relevant to the request was found.

The report, which issued to the Secretary General on 9 October, referred to his request for the internal audit unit to ascertain whether any documentation generated from 2011 to date was available within the Department that would connect the Minister, Deputy Reilly, and-or his advisers or anyone acting on his behalf to the selection of sites for the proposed primary care centres in Balbriggan and Swords. The internal audit unit asked the primary care unit and the offices of the Minister and the former Minister of State, in addition to the Minister’s three advisers, to undertake a search with a view to locating any relevant documentation. All parties advised the IAU that no records relevant to the request could be located.

Deputy Mary Lou McDonald: The Tánaiste’s monotonal response does not take from

this scandal. I have in my hand the briefing document prepared for and used by the Minister at that meeting on 20 April. Explicitly in the document, black on white, there is a mention of a particular site, namely, 68-70 Dublin Street. This is the site in the town centre that is currently being used as a surface car park.

I am astonished on two fronts. First, the Minister, Deputy Reilly, and the Government have the brass neck to act in such an improper fashion. Second, but perhaps more astonishingly, the Tánaiste will not just stand by this Minister, but by these obvious, sharp, corrupt practices that cost the Tánaiste a junior Minister.

Deputy James Reilly: That is outrageous.

Deputy Mary Lou McDonald: We said at the time, and let me repeat it-----

An Ceann Comhairle: I am sorry, but we cannot make allegations. Be careful.

Deputy James Reilly: I challenge Deputy McDonald to say that outside the House.

Deputy Mary Lou McDonald: Let me say this-----

An Ceann Comhairle: We cannot make allegations inside the Chamber.

Deputy Mary Lou McDonald: -----and I said it at the time-----

Deputy Bernard J. Durkan: Deputy McDonald should withdraw her “corrupt” remark.

Deputy Mary Lou McDonald: The wrong Minister resigned. The former Minister of State, Deputy Shortall-----

Deputy Bernard J. Durkan: On a point of order-----

Deputy Mary Lou McDonald: -----was punished for doing the right thing.

An Ceann Comhairle: I am sorry, but a point of order has been requested.

Deputy Mary Lou McDonald: She was punished for standing by proper standards in public office.

Deputy Bernard J. Durkan: On a point of order-----

Deputy Mary Lou McDonald: The Tánaiste awards another senior Minister by turning away his gaze and by not tracking the Minister’s activities. This is a disgrace.

(Interruptions).

An Ceann Comhairle: I am sorry, but a point of order has been requested. Will Deputy McDonald please stop?

Deputy Bernard J. Durkan: Is it now allowable in the House to make allegations under the cover of privilege that cannot be made outside the House without litigation? Has that become standard practice in the House and will it be practised in future? Are our Standing Orders going to be amended to remove privilege from people who use the cover of privilege-----

Deputy Richard Boyd Barrett: That is not a point of order.

Deputy Pádraig Mac Lochlainn: On a point of order-----

Deputy Bernard J. Durkan: -----to make allegations against the character of other people in the House?

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

Deputy Bernard J. Durkan: Since when has this been the standard practice?

(Interruptions).

Deputy Pádraig Mac Lochlainn: On a point of order, I was thrown out last week for doing what Deputy Durkan just did.

Deputy John Halligan: Exactly. The Deputy was.

An Ceann Comhairle: No.

Deputy Pádraig Mac Lochlainn: The Ceann Comhairle threw me out for doing the exact same thing.

(Interruptions).

An Ceann Comhairle: The Chair has ruled many times that allegations of a serious nature against an officeholder can only be made by way of a substantive motion in the House-----

Deputy Bernard J. Durkan: Correct.

An Ceann Comhairle: -----and not by way of innuendo or otherwise across the floor of the House.

Deputy Mary Lou McDonald: It is not innuendo. I have the document in front of me.

An Ceann Comhairle: I have made this point quite clear.

Deputy James Reilly: Repeat the charge outside the House.

Deputy Joe Higgins: It is unprecedented that Leaders' Questions would be interrupted by a point of order. That has never before been allowed in the House.

An Ceann Comhairle: We are over time. If Deputy McDonald would just put her question, she has only one minute to ask a supplementary.

Deputy Mary Lou McDonald: I am not working on the basis of innuendo or supposition.

An Ceann Comhairle: We do not-----

Deputy Mary Lou McDonald: I have in my hand the briefing note that came from the Department-----

An Ceann Comhairle: The Deputy can table a motion.

Deputy Mary Lou McDonald: -----and it states very clearly that a particular site-----

Deputy Paul Kehoe: Go outside and say that.

20 December 2012

Deputy Mary Lou McDonald: -----was discussed with NAMA, the same site that the Minister slipped onto the list. My question to the Tánaiste is simply this - what will he do about this whole scenario from which he has deliberately turned his face?

Deputy Brendan Howlin: Is this smoke and mirrors? Changing the facts.

The Tánaiste: There is a Sinn Féin tactic-----

Deputy Aengus Ó Snodaigh: Come on.

The Tánaiste: -----which is to enter the House, wave a piece of paper around, claim that it has the goods on-----

Deputy Mary Lou McDonald: It is a departmental briefing note.

An Ceann Comhairle: Please, Deputy.

The Tánaiste: Please, listen to the answer.

Deputy Brian Stanley: What about the Minister for Communications, Energy and Natural Resources, Deputy Rabbitte?

The Tánaiste: It is a Sinn Féin tactic to enter the House-----

Deputy Mary Lou McDonald: It is called opposition.

The Tánaiste: -----wave a piece of paper around, claim that it has the goods on us and then make all kinds of allegations, including of sharp, corrupt practices and so on. Sinn Féin has a neck.

Deputy Tom Hayes: Fair play, Tánaiste.

Deputy Mary Lou McDonald: A bit like the Tánaiste's neck.

The Tánaiste: So much illegal activity. How many bodies are buried on this island because of Sinn Féin? It has a neck.

Deputies: Hear, hear.

Deputy Pádraig Mac Lochlainn: What about the dodgy fivers?

(Interruptions).

The Tánaiste: It enters the House-----

(Interruptions).

Deputy Pádraig Mac Lochlainn: The Tánaiste has a brass neck.

An Ceann Comhairle: Will the Deputies please allow the Tánaiste?

The Tánaiste: It enters the House with its orders-----

Deputy Martin Ferris: What about the Tánaiste's past?

The Tánaiste: -----from Belfast to-----

Deputy Pádraig Mac Lochlainn: Was the Tánaiste ever in the IRA?

The Tánaiste: -----make allegations.

An Ceann Comhairle: Deputies, please.

The Tánaiste: There is a long-established way. If a Deputy wants to make an allegation against any Member of this House, there is a way in which-----

Deputy Mary Lou McDonald: I want the Tánaiste to answer the question. He is the Tánaiste, is he not?

The Tánaiste: No, that is the trick.

Deputy James Reilly: The Deputy wants to twist the facts. Repeat that charge outside this House.

Deputy Mary Lou McDonald: Is Deputy Gilmore not the Tánaiste? Does he-----

The Tánaiste: The Minister for Health has challenged the Deputy to say outside of this House what she just said inside it. Say it outside the House and stand over it. Do not enter the House and abuse its privilege.

Deputies: Hear, hear.

Deputy Mary Lou McDonald: It is called opposition.

(Interruptions).

The Tánaiste: If she wants to put any question to the Minister for Health in respect of any meeting he has had, I am sure that he will answer it, but this is a clever little trick.

Deputy Mary Lou McDonald: No, the trick is on the Tánaiste's side, as he will not answer my question. What will he do about this?

The Tánaiste: Sinn Féin enters the House waving allegations about the Minister for Health and then tells me to answer, and if I do not-----

Deputy Pádraig Mac Lochlainn: Why does the Tánaiste not ask his own former Minister of State?

Deputy Aengus Ó Snodaigh: The Tánaiste makes allegations as well.

The Tánaiste: Ask your question. Make your allegation outside of the House if you want to stand over it.

Deputy Mary Lou McDonald: Is this how the Tánaiste responded to Deputy Shortall when she raised the matter with him?

Deputy Aengus Ó Snodaigh: He is avoiding the question.

The Tánaiste: If Deputy McDonald wants to stand over that allegation, she should make it outside of the House.

Deputy Mary Lou McDonald: Right. We have the Tánaiste now.

20 December 2012

The Tánaiste: If she wants to put the question to the Minister for Health, she should put it to-----

Deputy Mary Lou McDonald: No, I put the question to the Tánaiste.

Deputy Sandra McLellan: These are Leaders' Questions.

The Tánaiste: She should put any question she wants to the Minister for Health-----

Deputy Mary Lou McDonald: I asked the Tánaiste the questions because the Minister will not answer them. The Tánaiste is a disgrace.

The Tánaiste: -----but she should not come in here swinging around political allegations. She is stooping to a new low.

Deputy Sandra McLellan: It is called opposition.

Deputy Michael Ring: Deputy McDonald is wrong about Mr. Noonan. He is not Fine Gael.

An Ceann Comhairle: I call Deputy Boyd Barrett.

Deputy Richard Boyd Barrett: I wish a happy Christmas to all of the Deputies in the House, all of those who work here and to the public outside. I wish to ask the Tánaiste a "Christmasy" question.

Deputy Mattie McGrath: Does he have his hat?

Deputy Richard Boyd Barrett: One of the aspects that I love about Christmas, and I suspect that many do, is the Christmas tree. Most families in this country will have a Christmas tree in their homes. It is like having a little piece of Ireland's woodlands in the sitting room over Christmas. When one is surrounded by family, friends and the community, it is a time around the Christmas tree when people consider those matters that are important.

A matter that might be considered important at this time of year as one looks at one's Christmas tree is the woodlands. They are a part of our heritage and our culture and are a vital resource for the State. People might also wonder whether the Minister for Finance, Deputy Noonan, believes the fairy tale that money grows on Christmas trees. Perhaps it is money that could pay for the property charges that will be imposed on families that will not be able to pay them next year.

Deputy Brendan Howlin: Is a question coming?

Deputy Olivia Mitchell: What is the Deputy's question?

An Ceann Comhairle: He is nearly there.

Deputy Richard Boyd Barrett: Money does not grow on the trees that are in people's front rooms during Christmas.

A Deputy: It might in the Deputy's part of the country.

Deputy Richard Boyd Barrett: However, does the Tánaiste agree with me that money and jobs grow on those trees on Coillte lands and that, when our country is being crucified with

unemployment, austerity and cuts, it is a crime against the nation that the Government is planning to sell our nation's trees to private interests when those trees could generate thousands of desperately needed jobs and revenue for the State?

11 o'clock

This week saw a further 1,000 acres sold. Private interests will make money from the sale of Christmas trees and logs, while industry and jobs that could have been created in the forestry sector will be lost. Will the Tánaiste grant the nation a Christmas wish by undertaking not to give away our woodlands and forests to people who see them only as an opportunity for profit? Will he give a commitment that our forests and woodlands will be retained for the benefit of the citizens of this State?

The Tánaiste: I am glad that Deputy Boyd Barrett has learnt that money does not grow on trees-----

Deputy Brendan Howlin: One could just inherit it.

The Tánaiste: -----and, second, that we cannot solve our economic problems with fairy tales. I offer him another lesson, which is about distinguishing the wood from the trees or, more particularly, the woodlands from the trees. As the Deputy says, the trees have the potential to generate income for the State. That is why we intend to sell them; otherwise, one does not get money for them. The decision the Government has made is about selling the harvesting rights of trees - we are not selling the trees, woodlands or forests. However, if we want to generate income from the trees which grow in the forest, we have to sell them.

Deputy Brendan Howlin: That is why we grow them in the first place.

The Tánaiste: Yes, that is why we grow them in the first place.

Deputy Timmy Dooley: This sounds like an episode from Snow White.

The Tánaiste: It is called separating the trees from the wood.

Deputy Richard Boyd Barrett: The problem is that the Minister for Finance, Deputy Michael Noonan, does believe that money grows on trees. Otherwise, he would not expect people who are in mortgage distress, on social welfare or whose incomes have been slashed to pay property charges and endure other cuts to their income. My point is that while money does not grow on the Christmas trees that are in people's front rooms this Christmas, money does grow on the trees on Coillte lands and so do jobs.

Deputy Brendan Howlin: Only if the trees are sold.

Deputy Richard Boyd Barrett: Leaving aside private interests, even Coillte itself, as it prepares for privatisation, does not actually generate jobs or revenue for the State. What it does is asset-strip our woodlands and sell them off for a song. One need only look to Switzerland, a country half the size of Ireland, to see what can be done.

An Ceann Comhairle: Will the Deputy put a question to the Tánaiste?

Deputy Richard Boyd Barrett: Some 100,000 people are employed on its woodlands compared with 11,000 in Ireland. Those numbers will be further reduced when the Government sells off the trees to private interests which see them only as a cash crop that will make a quick

buck. They have no interest in maintaining them as woodlands or developing the woodland industry to create jobs. That is the point I am making.

An Ceann Comhairle: The Deputy is over time. Will he put a question to the Tánaiste?

Deputy Richard Boyd Barrett: It is interesting that one of the companies that is in the bidding to buy our forests is a Swiss bank, a subsidiary of which is headed up by Bertie Ahern.

An Ceann Comhairle: I ask the Deputy not to make allegations.

Deputy Kathleen Lynch: Deputy Boyd Barrett is embarrassing his colleagues in the benches in front.

Deputy Richard Boyd Barrett: That company understands the value of our forests because it knows how to manage them properly. Why does the Government not keep them in public ownership, to generate the jobs that could put our people back to work, instead of selling them off to asset strippers who want only to cash in and have no intention of creating jobs or revenue for the State?

The Tánaiste: The main reason, normally, that anybody would grow a crop is to sell it and generate income. That applies to growing trees in the same way it applies to growing corn. The Deputy seems to be having some difficulty in understanding this. Since he is on the subject of public money, I note that he, together with all his Independent colleagues, is in receipt of a payment from the State for research. Given that the Deputy is almost two years in the House, he should have received some €80,000 tax free at this stage. Perhaps he might use that money to do some research on the subject.

(Interruptions).

Deputy Richard Boyd Barrett: It is the same payment the Tánaiste and his colleagues receive under the party allowance.

The Tánaiste: I do not see much output for that payment. The Deputy is nearly two years in the House and I have not seen a single Private Members' Bill from him anywhere on the Order Paper. I do not know what he is doing with the €80,000 of tax-free money he has received from taxpayers.

Deputy Richard Boyd Barrett: That is factually incorrect.

The Tánaiste: I will make a seasonal suggestion. For the Christmas, he might buy a copy of Little Red Riding Hood. He will learn all he needs to know there about the economics of woodlands.

An Ceann Comhairle: That concludes Leaders' Questions.

(Interruptions).

Deputy Joe Higgins: A Cheann Comhairle, it is unacceptable that the Deputy Leader of the Government treats serious questions from Members on this side of the House with disdain.

(Interruptions).

An Ceann Comhairle: I would appreciate Deputies' co-operation. I take this opportunity

to wish all Members, their families and friends a very happy Christmas and a prosperous 2013.

Deputy Mattie McGrath: Hear, hear.

An Ceann Comhairle: I extend similar good wishes to all staff members in whatever capacity they serve and thank them for the courtesy extended to all of us during 2012.

Deputies: Hear, hear.

An Ceann Comhairle: I also extend good wishes to our friends in the media, who sometimes give me a bit of a rough time. They will be pleased to hear that I do not hold any grudges against people. I wish everybody working in the media a very happy Christmas and a prosperous new year. Finally, I thank Members for their co-operation during 2012. To those with whom I might have had a misunderstanding during the year - if I was in the wrong, I apologise; if I was in the right, I hold no grudge. I look forward to working with all of them in 2013.

Order of Business

The Tánaiste: It is proposed to take No. 13, motion re proposed approval by Dáil Éireann for a decision of the European Parliament and of the Council amending Decision No. 573/2007/EC, Decision No. 575/2007/EC and Council Decision 2007/435/EC, back from committee; No. 14, motion re proposed approval by Dáil Éireann of the Double Taxation Relief (Taxes on Income and Capital Gains) (Arab Republic of Egypt) Order 2012, back from committee; No. 15, motion re proposed approval by Dáil Éireann of the Double Taxation Relief (Taxes on Income and Capital Gains) (State of Qatar) Order 2012, back from committee; No. 16, motion re proposed approval by Dáil Éireann of the Double Taxation Relief (Taxes on Income and on Property) (Republic of Uzbekistan) Order 2012, back from committee; No. 17, motion re proposed approval by Dáil Éireann of the Double Taxation Relief (Taxes on Income and on Capital) (Swiss Confederation) Order 2012, back from committee; No. 18, motion re proposed approval by Dáil Éireann of the Exchange of Information Relating to Taxes (San Marino) Order 2012, back from committee; No. 19, motion re proposed approval by Dáil Éireann of the Mutual Assistance in Tax Matters Order 2012, back from committee; No. 20, motion re proposed approval by Dáil Éireann of the National Pensions Reserve Fund Act 2000 (Suspension of Exchequer Contributions) Order 2012, back from committee; No. 21, motion re proposed approval by Dáil Éireann of the report by the Minister for Defence regarding service by the Defence Forces with the United Nations in 2011, back from committee; No. 28, Transport (Córas Iompair Éireann and Subsidiary Companies Borrowings) Bill 2012 [*Seanad*] - Order for Report, Report and Final Stages; No. 3, Houses of the Oireachtas Commission (Amendment) (No. 2) Bill 2012 [*Seanad*] - Second and Subsequent Stages; No. 29, Civil Defence Bill 2012 [*Seanad*] - Order for Report, Report and Final Stages; and No. 4, Civil Registration (Amendment) Bill 2012 [*Seanad*] - Second and Subsequent Stages.

It is proposed, notwithstanding anything in Standing Orders, that: (1) the Dáil shall sit later than 5.45 p.m. and shall adjourn on the conclusion of oral questions; the sitting shall be suspended for 30 minutes at 12.45 p.m., or in the event a division is in progress at that time, immediately on the conclusion of that division; (2) Nos. 13, 14 to 19, inclusive, 20 and 21 shall be decided without debate, and in the case of Nos. 14 to 19, inclusive, shall be moved together and

decided by one question which shall be put from the Chair; (3) the Report and Final Stages of No. 28 shall be taken today and the proceedings thereon shall, if not previously concluded, be brought to a conclusion at 12.45 p.m. today by one question which shall be put from the Chair and which shall, in relation to amendments, include only those set down or accepted by the Minister for Transport, Tourism and Sport; (4) the Second and Subsequent Stages of No. 3 shall be taken today and the following arrangements shall apply: (i) the proceedings on Second Stage shall, if not previously concluded, be brought to a conclusion at 3.45 p.m. today and, (ii) the proceedings on Committee and Remaining Stages shall, if not previously concluded, be brought to a conclusion at 4.15 p.m. today by one question which shall be put from the Chair, and which shall, in relation to amendments, include only those set down or accepted by the Minister for Public Expenditure and Reform; (5) the Report and Final Stages of No. 29 shall be taken today and the proceedings thereon shall, if not previously concluded, be brought to a conclusion after 60 minutes today by one question which shall be put from the Chair and which shall, in relation to amendments, include only those set down or accepted by the Minister for Justice and Equality; (6) the Second and Subsequent Stages of No. 4 shall be taken today and the following arrangements shall apply: (i) the proceedings on the Second Stage shall, if not previously concluded, be brought to a conclusion at 7 p.m., the opening speeches of a Minister or Minister of State and of the main spokespersons for Fianna Fáil, Sinn Féin and the Technical Group, who shall be called upon in that order and who may share their time, shall not exceed 20 minutes in each case, the speech of each other Member called upon shall not exceed ten minutes and such Members may share their time, and a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed five minutes; and (ii) the proceedings on Committee and Remaining Stages shall, if not previously concluded, be brought to a conclusion at 8 p.m. by one question which shall be put from the Chair and which shall, in relation to amendments, include only those set down or accepted by the Minister for Social Protection; and the order shall resume thereafter with Topical Issues and Oral Questions; and (7) the Dáil on its rising today shall adjourn until 10.30 a.m. on Wednesday, 16 January 2013.

An Ceann Comhairle: There are seven proposals to be put to the House. Is the proposal that the Dáil shall sit later than 5.45 p.m. and shall adjourn on the conclusion of oral questions agreed to? Agreed. Is the proposal for dealing with Nos. 13 to 21, inclusive, agreed to? Agreed. Is the proposal for dealing with No. 28 agreed to? Agreed. Is the proposal for dealing with No. 3 agreed to? Agreed. Is the proposal for dealing with No. 29 agreed to? Agreed. Is the proposal for dealing with No. 4 agreed to? Agreed. Is the proposal that the Dáil, on its rising today, shall adjourn until 10.30 a.m. on Wednesday, 16 January 2013 agreed to? Agreed.

Deputy Micheál Martin: I seek clarification from the Tánaiste. Under section 221 of the National Asset Management Agency, NAMA, Act it is an offence to attempt to lobby NAMA. The penalty on conviction of that offence is a fine of €1,000 or six months in prison. I am not suggesting there was any interference with or lobbying of NAMA but the issue raised today, following a freedom of information request about a particular meeting between the Minister for Health and NAMA and the information we received from the Department of Health-----

An Ceann Comhairle: A question on the Order of Business, Deputy.

Deputy Micheál Martin: -----which related to how the primary care centres were selected hours before the Cabinet meeting-----

An Ceann Comhairle: What is your question on the Order of Business?

Deputy Micheál Martin: -----reveal the unsatisfactory fact that the Opposition has had to use the Freedom of Information Acts for months to piece together the jigsaw of the decision to select these primary care centres. It is most unsatisfactory. The Government made a commitment to introduce new freedom of information legislation. It has taken us months to get much of the detail, some of which is redacted. The dripping of information relating to the selection of primary care centres is entirely unsatisfactory.

Will the Tánaiste commit the Government to undertaking a sharp inquiry into the primary care centre debacle, with a view to using all the documentation that is now available under freedom of information and questioning the key people involved, so we can get a comprehensive account of how those primary care centres were selected? I ask the Tánaiste to give a commitment to hold such an inquiry. This issue is a distraction for the Dáil. It has been arising since last June and new pieces of information are emerging all the time. Behind the scenes, the Tánaiste must be unhappy with what is happening in this case. A number of his party's Ministers have expressed their disquiet. It is equally unsatisfactory that we must use the freedom of information procedure all the time. The Tánaiste gave me a commitment some months ago that he would publish all the documentation about this, but he did not. I had to wait for months to get it under the Freedom of Information Act.

The Tánaiste: First, there is no issue with any matter in connection with any Minister being debated either in the House or at the appropriate committee. One of the reasons we have committees is so they can address issues and question Ministers, probably in far greater detail than is normally permitted in the Chamber during Question Time. There is no difficulty with any issue being questioned by the Members of the Opposition.

With regard to freedom of information, the Deputy will recall that his Government filleted the Freedom of Information Act, so amending legislation will be brought before the House in the new year to restore many of the powers of that Act.

An Ceann Comhairle: I call Deputy McDonald.

Deputy Micheál Martin: The Tánaiste could do much more now. Will there be an inquiry?

An Ceann Comhairle: I have called Deputy McDonald.

Deputy Mary Lou McDonald: I, too, believe that the handling of the primary care centres is something to which we will have to return in the new year.

An Ceann Comhairle: It can be dealt with by way of a motion.

Deputy Mary Lou McDonald: I am sure it will be, but I feel incredible frustration with the Tánaiste. When questions of fundamental importance are put to him relating to the integrity of the decision making processes, he resorts to hyperbole rather than dealing with the issue at hand. This is a serious issue and it will not go away.

I wish to raise two other matters. The Houses of the Oireachtas Commission (Amendment) (No. 2) Bill is being dealt with today, the last sitting day. I submitted amendments but all of them were ruled out of order. It is most unsatisfactory that this Bill is before the House on the last sitting day and that issues of public concern regarding the allowances and payments that Members of this House enjoy appear not to be amenable to amendment or change, regardless of what the Opposition does. Will the Tánaiste comment on that?

There is a commitment in the programme for Government to end long-term homelessness and sleeping rough, which I wholeheartedly support. However, many of the Government's actions have aggravated the problem of homelessness rather than address it, particularly the cuts to rent supplement. What concrete actions does the Government propose to take to honour the commitment to end long-term homelessness and sleeping rough?

The Tánaiste: The Houses of the Oireachtas Commission (Amendment)(No. 2) Bill will provide for a reduction of 10% in the amount allocated to the Houses of the Oireachtas to do its business. The amount for the previous three years was €360 million and this will be reduced to €324 million, a cut of 10% or €36 million. Compared to the three years prior to that again, it is a reduction of almost 20% from €393 million to €324 million. It represents, therefore, a significant reduction in the money allocated for the running of the Houses. I understand from the Minister for Public Expenditure and Reform that many of the individual measures will require statutory instruments and there is a procedure in the House under which any Member or party can address particular measures if they wish.

With regard to the issue of homelessness, the Government made it clear from the outset that one of our priorities was to ensure as far as possible that people would not lose their homes during this recession and to give effect to that, we passed this week the personal insolvency legislation, which will radically amend the legislation governing insolvency and put in place a range of non-judicial settlement arrangements for people who are in difficulty with their mortgages. All of this is aimed at ensuring people will not lose their homes. Homelessness is being addressed by the Minister of State at the Department of the Environment, Community and Local Government, Deputy Jan O'Sullivan, and I am sure she would be happy to answer detailed questions that may be put to her on that.

Deputy Mattie McGrath: I refer to newspaper reports over the past few days about European Court of Justice, ECJ, fines. We dealt with this issue under the Water Services (Amendment) Act 2012. I thought by introducing the legislation and putting charges and registrations fees on people the Minister for the Environment, Community and Local Government had dealt with the ECJ issue. We now find we have the worst of all worlds. We have enacted a Bill but we will have to pay the fines as well. Have we any clout in Europe?

An Ceann Comhairle: It sounds like a parliamentary question to me.

Deputy Mattie McGrath: It is an important issue. The Ceann Comhairle is in good spirits this morning and I want to keep it that way if I can but it is a serious matter.

An Ceann Comhairle: I know that.

Deputy Mattie McGrath: People will register their septic tanks and I welcome the limited grants scheme.

An Ceann Comhairle: This is the Order of Business. I cannot help the Deputy.

Deputy Mattie McGrath: Under the Water Services (Amendment) Bill 2011, the fines were supposed to have been addressed when it was enacted but now we are being fined.

The Tánaiste: The ECJ imposed fines on Ireland in a judgment issued yesterday in respect of the county's non-compliance with matters relating to septic tanks. That was something that went back over a period of ten years when a party of which the Deputy was then a member and

that he supported for a long period-----

Deputy Mattie McGrath: We all use the tanks.

The Tánaiste: These fines related to the period when the party and Government the Deputy supported was in office and did not address the problem of septic tanks.

Deputy Mattie McGrath: The Tánaiste is not entering into the spirit the Ceann Comhairle asked for.

The Tánaiste: The Government has addressed the issue of septic tanks-----

Deputy Mattie McGrath: Is the Government still paying the fines?

The Tánaiste: -----which will mean that we will not be liable to be fined in the future. However, the fact that we were fined because of inaction in the past demonstrates the wisdom of the Government introducing the legislation relating to septic tanks, which the Deputy has been going around the country claiming should not be done. The ECJ has shown what would have continued to happen if it was not addressed.

Deputy Mattie McGrath: The Government was going to solve it all.

Deputy Brendan Howlin: We have.

Deputy James Bannon: Given the number of stories about the level of crime and corruption hitting the headlines on a daily basis, when will the criminal justice (proceeds of crime) Bill be published? Can it be extended to empower the Criminal Assets Bureau, CAB, to include the new crime wave in the white collar sector?

The Tánaiste: It is No. 98 on the list. The Bill is intended to strengthen the powers of the CAB in forfeiting the proceeds of the crime. Consultations with the CAB are ongoing and it is not possible to give an indication as to when the Bill will be published.

Deputy Bernard J. Durkan: The courts bill proposes to amend the *in camera* rule in respect of family law and child care hearings. When it is expected to be brought before the House? Has it been discussed at Cabinet and have the heads of the Bill been approved?

I refer to the land and conveyancing law reform (amendment) Bill. The boom period the country experienced, which is sadly over, showed up several flaws in land conveyancing procedures. Has the Bill been discussed by the Cabinet and the heads approved? When is it likely to come before the House to ensure we do not have a repeat of the difficulties that have arisen?

The Tánaiste: The courts Bill will facilitate an updating of the law to allow reporting subject to certain conditions of family and child care proceedings. The heads of the Bill were approved by Government on 31 October and it is hoped to publish the Bill next session.

The conveyancing Bill will take a little longer and our hope is to have it next year.

Deputy Róisín Shortall: I would like to ask about three Bills in the health area that were promised this session, which clearly we are not going to get to at this stage. The first is the HSE governance Bill, which we were told was priority legislation and which went through the Seanad in September but has not appeared since. Where is that? What is the reason for the delay? The second is the free general practitioner care Bill, which the Tánaiste had promised

we would have this session. What is the reason for the delay? When might we see that? The third is the public health (alcohol) Bill, which had been promised for before Christmas. What is the reason for the delay? When we can expect to see those three Bills?

The Tánaiste: The HSE governance Bill has been through the Seanad and is awaiting Second Stage in the House.

Deputy Róisín Shortall: What is the reason for the delay? It is priority legislation.

The Tánaiste: There is no reason for the delay. We are breaking for Christmas today and I expect it will be taken early in the new year. There are currently four health Bills before the Houses.

The health (amendment) Bill addresses some complex issues that are currently being worked out between the Department and the Parliamentary Counsel. There are drafting issue and publication is expected early next session. Work is continuing on the alcohol legislation. Progress has been made and we expect that proposals will be with Government early in 2013.

Deputy Michelle Mulherin: My question relates to the forthcoming finance Bill. There is a deadline of 31 December next for first-time buyers to draw down their loan cheques to avail of enhanced mortgage interest relief and I seek a small extension of the deadline because of the number of first-time buyers who will be unable to draw their cheques down in time as a result of the holiday arrangements for banks. I understand that 400 such borrowers will be discommoded by one bank and will miss out on the opportunity to avail of the enhanced mortgage interest relief.

The Tánaiste: That is a matter for the legislation and I will draw the Deputy's concerns to the attention of the Minister for Finance.

Deputy Dessie Ellis: The taxi regulation Bill is due early in the new year. The taxi review report has been completed for a year and we have not had an opportunity to debate issues relating to the taxi industry. Will the Bill be at the top of the agenda in the new year? Many issues attach to what is happening in the taxi industry at present.

The Tánaiste: The Bill has been published. The Minister of State, Deputy Alan Kelly, has been working on the issue for some time. I understand the Bill will be in the Seanad in the third week of January. We will have an opportunity to debate it in the Dail after that.

Deputy Catherine Murphy: As recently as last week, the Minister for the Environment, Community and Local Government told the Joint Committee on Environment, Community and Local Government he hoped the heads of the climate change Bill would be published before the end of this session. That, clearly, has not happened. When is it likely to happen and how will the delay impact on the road map? There is a time-line in all of this.

The Tánaiste: The climate change Bill is being considered by Government. I expect it will be published early in the new year.

Deputy Michael Healy-Rae: The Minister of State, Deputy Alan Kelly, has been working diligently on the taxi regulation Bill. What will be done for taxi drivers who want to transfer their taxi licence? Will that matter be addressed in the Bill?

Deputy Brendan Howlin: That is a good parliamentary question.

Deputy Michael Healy-Rae: Is Deputy Howlin the new Ceann Comhairle?

Deputy Brendan Howlin: I try to give the Deputy free advice. What more can I do?

Deputy Michael Healy-Rae: I would like the Tánaiste to answer, in the spirit of the season.

An Ceann Comhairle: The Tánaiste might give some information to help the Deputy, as it is Christmas.

Deputy Michael Healy-Rae: Thank you, a Cheann Comhairle.

The Tánaiste: The issue of taxi and taxi regulation was seriously neglected by the previous Government. We all know the huge difficulties that have resulted from that, for taxi drivers and for their customers. For the first time, the Government has addressed the problems in the taxi industry in a serious way. The Minister of State, Deputy Kelly, has brought forward legislation and it will be debated in the Dáil and in the Seanad. I am sure Deputy Kelly will consider any submission by Deputy Healy-Rae.

EU Parliament and Council Decisions: Motion

Minister for Public Expenditure and Reform(Deputy Brendan Howlin): I move:

That Dáil Éireann approves the exercise by the State of the option or discretion under Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, to take part in the adoption and application of the following proposed measure:

a proposal for a Decision of the European Parliament and of the Council amending Decision No. 573/2007/EC, Decision No. 575/2007/EC and Council Decision 2007/435/EC with a view to increasing the co-financing rate of the European Refugee Fund, the European Return Fund and the European Fund for the Integration of third-country nationals as regards certain provisions relating to financial management for certain Member States experiencing or threatened with serious difficulties with respect to their financial stability,

a copy of which was laid before Dáil Éireann on 16th October, 2012.

Question put and agreed to.

Double Taxation Agreements: Motions

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

That Dáil Éireann approves the following Order in draft:

20 December 2012

Double Taxation Relief (Taxes on Income and Capital Gains) (Arab Republic of Egypt) Order 2012,

a copy of which was laid before Dáil Éireann on 10th December, 2012.

That Dáil Éireann approves the following Order in draft:

Double Taxation Relief (Taxes on Income and Capital Gains) (State of Qatar) Order 2012,

a copy of which was laid before Dáil Éireann on 10th December, 2012.

That Dáil Éireann approves the following Order in draft:

Double Taxation Relief (Taxes on Income and on Property) (Republic of Uzbekistan) Order 2012,

a copy of which was laid before Dáil Éireann on 10th December, 2012.

That Dáil Éireann approves the following Order in draft:

Double Taxation Relief (Taxes on Income and on Capital) (Swiss Confederation) Order 2012,

a copy of which was laid before Dáil Éireann on 10th December, 2012.

That Dáil Éireann approves the following Order in draft:

Exchange of Information Relating to Taxes (San Marino) Order 2012,

a copy of which was laid before Dáil Éireann on 10th December, 2012.

That Dáil Éireann approves the following Order in draft:

Mutual Assistance in Tax Matters Order 2012,

a copy of which was laid before Dáil Éireann on 10th December, 2012.

Question put and agreed to.

National Pensions Reserve Fund Act 2000: Motion

Minister for Public Expenditure and Reform(Deputy Brendan Howlin): I move:

That Dáil Éireann approves the following Order in draft:

National Pensions Reserve Fund Act 2000 (Suspension of Exchequer Contributions) Order 2012,

copies of which were laid before Dáil Éireann on 7th December, 2012.

Question put and agreed to.

Defence Forces Report: Motion

Minister for Public Expenditure and Reform (Deputy Brendan Howlin): I move:

That Dáil Éireann approves the report by the Minister for Defence regarding service by the Defence Forces with the United Nations in 2011, copies of which were laid before Dáil Éireann on 5th March, 2012, in accordance with Section 13 of the Defence (Amendment) Act 2006.

Question put and agreed to.

Council of Europe: Appointment of Representatives

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): I wish to inform the House of the following persons who have been selected and nominated as representatives and alternates from Ireland to the Parliamentary Assembly of the Council of Europe until the end of 2013.

Representatives: Deputy Joe O'Reilly, leader of the delegation; Deputy Michael McNamara and Senators Deirdre Clune and Terry Leyden. Alternates: Deputies Terence Flanagan and John Paul Phelan and Senators Kathryn Reilly and Katherine Zappone.

Transport (Córas Iompair Éireann and Subsidiary Companies Borrowings) Bill 2012 [Seanad]: Report and Final Stages

Bill reported without amendment, received for final consideration and passed.

An Ceann Comhairle: A message shall be sent to the Seanad acquainting it accordingly.

Houses of the Oireachtas Commission (Amendment) (No. 2) Bill 2012 [Seanad]: Second Stage

Minister of State at the Department of Health (Deputy Alex White): I move: "That the Bill be now read a Second Time."

I have the honour of deputising for my colleague, the Minister for Public Expenditure and Reform, Deputy Brendan Howlin, in addressing the House on the subject of the Houses of the Oireachtas Commission (Amendment) (No. 2) Bill. The Bill was passed by the Seanad last week, on 13 December 2012. The Bill is designated a No. 2 Bill because an Oireachtas Com-

mission (Amendment) Bill, which concerns the Oireachtas translation service and is being dealt with by the Minister for Arts, Heritage and the Gaeltacht, is already before the Oireachtas, having commenced its legislative passage through Parliament earlier this year.

The Houses of the Oireachtas Commission was first established as of 1 January 2004 on foot of the Houses of the Oireachtas Commission Act 2003 and since then the legislation has been further amended in the Houses of the Oireachtas Commission Acts 2006 and 2009. The commission is the independent body which, in effect, is the governing board of the Houses of the Oireachtas Service. The primary functions of the commission are to provide for the running of the Houses of the Oireachtas, to act as governing body of the Houses of the Oireachtas Service, to consider and determine policy in relation to the service and to oversee the implementation of that policy by the Secretary General. The Commission is chaired by the Ceann Comhairle and consists of 11 members, including the Secretary General. The commission is financed from the Central Fund for a three year period and has control over current expenditure and, to a considerable degree, over its staffing. The commission has no role in regulating the business of the Houses. The commission is accountable to the Parliament and presents annual reports of its work together with estimates and accounts of its expenditure.

The Houses of the Oireachtas Service is the public service body that administers the Houses of the Oireachtas on behalf of the commission as the governing authority. The functions of the service are set out in the Act of 2009. They are to provide advice and support services to the commission, the Houses and their committees and members of the Houses.

Since 2004, the current expenditure of the Houses of the Oireachtas has been financed from the Central Fund rather than, as has been the case up to then, being included in the Estimates Voted annually by the Dáil. This change was effected by the Houses of the Oireachtas Commission Act 2003. Under the terms of that Act a three year budget, covering the period 2004 to 2006, was provided for the commission. Further Acts were enacted in 2006, covering the 2007 to 2009 period, and 2009, for the 2010 to 2012 period. A new Act is now required, as the financing provided under the 2009 Act expires as of 31 December next.

The primary purpose of the Bill is, accordingly, to make available the funding for the commission over the coming three years. The Bill proposes to make available to the commission a sum not exceeding €324 million to carry out its functions for the three year period from 1 January 2013 to 31 December 2015. This sum has been agreed between my colleague, the Minister for Public Expenditure and Reform, and the commission and takes into account foreseen expenditure.

I draw the attention of Members to the fact that this sum is considerably less than the €360 million provided for the past three years and, to an even greater extent, the €393 million provided for in the previous three year period. In looking at these figures, a pattern of reducing expenditure by the commission is clear. In this regard, I readily acknowledge that the commission has shown itself commendably aware of the need for it, as a public body, to continually strive for maximum efficiencies in the administration of the Houses. The proposed funding continues this trend, reflecting the current very constrained budgetary situation while taking into account the needs of the commission over the coming three year period. To keep its spending within this reduced figure of €324 million, the commission is committed to ensuring funds are only designated to essential expenditure. I must also add that this reduced three year figure takes account of the decrease in Members' allowances announced by the Minister in his budget speech of 5 December last.

In regard to the curtailment of expenditure, I draw Members' attention to the fact that, under the terms of the Oireachtas commission legislation, the commission determines its own staffing requirements, with the exception that for senior appointments, the consent of the Minister for Public Expenditure and Reform is required. However, since 2009, the commission, while not obliged to implement the staffing moratorium which has been in place in the Civil Service, has in fact mirrored it, and authorised staffing levels for public servants in the Oireachtas have been reduced by 10% in the period. This fact, and the efforts of the commission over the years to economise, may not always be widely known to the public. Indeed, in the course of last week's proceedings in the Seanad on this Bill, reference was made to the advisability of the commission's communicating the efforts made to curb expenditure in its sphere of operations to a greater extent than it has done to date. In other words, there is a good story to tell here and it should be told vigorously.

Looking ahead, I am quite sure Deputies will agree that the €324 million target is a challenging one and will require substantial economising by the commission over a three year period. However, it will be no more difficult than the regime to which Department and offices will be compelled to adhere and the Oireachtas must show the public it is ready, able and willing to participate in the general reduction of administrative costs, as it has done to good effect to date.

In addition to the financial provision, the Bill provides for a revised format to the manner in which the Commission's accounts are presented. The existing format does not take account of changes to the structure of the service since the establishment of the Commission, that is, the establishment of the library and research unit and the communications unit. Alterations are also being proposed in the lay-out of the accounts, including the deletion of references to receipts no longer received.

The third and final provision contained in this Bill refers to the retention of receipts by the commission. These receipts will be offset against the Exchequer allocation and will be accounted for in both the annual Estimate which the commission presents to the Dáil and the appropriation account, which is audited annually by the Comptroller and Auditor General. The commission has requested this initiative on the grounds that, up to now, receipts generated went straight into the central fund. This gave no incentive for efficiencies in the provision of services. Under the new proposed arrangements, there will be heightened awareness of the need to maximise the extent of receipts.

I also wish to advise Members that the Minister for Public Expenditure and Reform intends to bring forward legislation early in 2013 to ensure the modernisation of the senior management structures of the Oireachtas service. These are specifically recognised in the Staff of the Houses of the Oireachtas Act 1959. It is accepted that the configuration in that Act, particularly in terms of senior management structures, needs to be modernised. Indeed, this was flagged in 2009 by the then Minister for Finance when moving the Second Stage of the Houses of the Oireachtas Commission Bill in the Dáil. While it is recognised that significant modernisation has taken place, the statutory framework in the 1959 Act does not reflect this and needs to be modernised. In this regard, the Minister is committed to ensuring, in co-operation with the Commission, that the administrative structures of the Oireachtas do not become out of step with Civil Service norms in terms of adapting flexibly to the needs and demands of modern management practices.

In summary, the Bill is designed to allow funds be made available to the Houses of the Oireachtas Commission to continue to provide the services that facilitate both Houses in the carrying out of their work. I am sure that Deputies will support this very worthwhile aim.

Deputy Sean Fleming: I welcome the opportunity to speak on this Bill, which I will be opposing for a variety of reasons. We are here on 20 December, and the Dáil is adjourning in a few hours and unless this Bill is passed, there will be no budget to spend on 1 January. That is a shambolic way to run any organisation. If this place caught fire today and we could not pass this Bill, the Oireachtas and its staff could not return on 1 January. There is now a Minister for Public Expenditure and Reform but we are still here on the last hour of the last sitting day of the year to address the situation where there is no budget for 1 January 2013. That is an indictment of that Minister.

The Minister of State acknowledged in his speech that there must be changes in the senior management structures of the Oireachtas and stated that this matter would be dealt with in 2013. This should have been done as part of this legislation on a properly planned basis over recent months, not on the last sitting day, when most Members are properly leaving the House, although I hope they have not all left because there will be a vote on this during the passage of the legislation.

This Government was elected on a mandate of Dáil reform. Is this the Government's definition of Dáil reform, coming in on the last sitting day, when the whole country's focus is moving away from events in the Oireachtas, to pass the budget to allow the building to open on 1 January? Unless this Bill is passed, it would not be possible to even pay the electricity bill. That is no way to run business. We are talking about a mammoth amount of money, after the Government inflicted a lot of pain on people in the budget through cuts to the respite care grant and child benefit. The decreases included in this Bill are not on that scale at all and although there have been budget savings in individual Members' own expenses, that level of reduction is not being mirrored across the entire Oireachtas.

I do not understand why this cannot be part of the normal Estimate process each year. A significant portion of total Government expenditure is not being voted upon in this Chamber. We get the departmental Estimates each year which are published on budget day but billions of euro in interest on the national debt, payments to the Central Fund, for the Houses of the Oireachtas and for pensions for retired judges and politicians are not voted on as part of the normal Estimates process. There is a mechanism for non-voted expenditure. All of that should be centralised because if this is the national Parliament and the Minister is serious about reform, approving expenditure in advance should be done in this House.

There should be provision to discuss the programme of work so that when a committee is discussing its estimated expenditure for the year, it has a line of activities that must be matched with those of the Department. There is none of that today. There is just a request for €324 million so we can go away for Christmas and resume again on 1 January. That is what this Bill is about and it is no way to do business.

If the Government parties had campaigned during the last election saying they would carry on without any change, I would understand this approach. The parties in government, however, were elected on the basis of change and we have seen the worst form of it here. Doing this on the last sitting day before the Christmas recess adds to public cynicism.

Apart from the financial side, I also oppose the legislation because it allows the Oireachtas to continue in the same old way. We were told there would be Dáil reform, that it was fundamental to both Fine Gael and the Labour Party before the election, and fundamental to the Government. The Government claims to have increased the number of sitting days and we have

seen public relations and spin on Dáil reform but not substance. There are Friday sittings but they are not proper sitting days with an Order of Business; they are simply designated for Private Members' Bills. That is a sop to show the Dáil is sitting more hours. Fianna Fáil has put forward 42 Private Members' Bills in the past 18 months, and two at most have been accepted. Almost all get voted down or long-fingered. Very few of the Bills that have gone through, that have been published by the parties and dealt with on the Friday sittings, have been enacted. It is a bit of a sham the way it is operating.

One of the most important roles of Dáil committees is dealing with the Estimates process for the Departments. We all will be aware that the Estimates for the line Departments will probably appear at the committees in April or May next, or some time during the course of the year when half of the funding is already spent and most of the balance is already committed. It is becoming a pointless exercise. We need to have a meaningful debate in the Dáil and at Oireachtas committees on expenditure before it is spent, and we did not have that this year in the case of the Estimates of expenditure for the coming year. In fact, the Government acted in a retrograde manner. In the past few years we were moving to separate the expenditure in the Book of Estimates which would be published in advance of budget day and now we have them all on the one day where the estimates of expenditure get caught up in issues such as child benefit cuts and the family home tax, and those issues do not get properly dealt with.

The Government promised - it was one of the parties' proposals prior to the election - to reduce the number of guillotines. This legislation is being guillotined today. Second Stage, Committee Stage, and Report and Final Stages are being taken in one sitting on the eve of Christmas, and that is Dáil reform. The amount of guillotines that have been introduced here is not necessary. There is no reason this legislation could not have been taken at the select committee last week, the previous week or the week before that; it should not be coming in here at this stage.

We were promised changes to the committee system. The reason I highlight these points is the public wants to know for what is this €324 million. They voted for the Government on the basis that there would be Dáil reform. The committee system has actually deteriorated. There are now some committees with 27 members. The Minister of State, Deputy Alex White, chaired the Joint Committee on Finance, Public Expenditure and Reform, of which I am a member, before he was promoted to Minister of State. Having 27 members on one committee is a joke. The result of the joke of setting up what are, on the face of it, a smaller number of committees is having a plethora of sub-committees that are unwieldy and on which there is little focus. There are more committee meetings in this House than there ever was in any previous Administration. Some of them are being called sub-committees but they are actually committees. Taking the major committees and the sub-committees, there is much less focus in committee work.

This Government promised that the Dáil would hold a banking inquiry and two years into office, there is no sign of this happening. There is a possibility of legislation to allow some Oireachtas inquiries but that has yet to be agreed. I would safely say we will adjourn for the summer with no banking inquiry. That was a fundamental promise to the people of Ireland by the parties in government and it is not being delivered in terms of Dáil reform. If the Dáil was really meaningful, there should be a banking inquiry up and running by now but for some reason the Minister is holding back.

The main party in government, Fine Gael, promised that when in government it would cut the number of Deputies by 20. Because of the increase in population, in line with the Constitution, the number can be reduced only by eight, to 158, which is what will happen. It was known

in advance that there was an increase in population. It was a false promise to the Irish people that they would cut the number of Deputies. The promise was made in the full knowledge of the main party in government that it was not remotely possible within current constitutional limits to keep it. As the Minister for Communications, Energy and Natural Resources, Deputy Rabbitte, stated on television, “isn’t that what you tend to do during an election?” - nobody expects one to hold true to one’s promises. That adds to the cynicism in public life.

The Taoiseach promised abolition of the Seanad. I do not see anything about this. If we are agreeing a budget for the next three years, there should be something in it about where we stand on the Seanad. It has been promised repeatedly. Promises were made and votes were won on the basis that they would cut the number of Deputies by 20 and abolish the Seanad. That is not reflected in this figure where the Minister of State is coming in here on the eve of Christmas looking for €324 million so that we can open up the building after Christmas. The Bill is being brought in here almost under the cover of Christmas week in the hope that the people will not see what is going on.

Finally, the Oireachtas has not fully engaged in proper explanations of the Government’s approach to the various European summits. The Government has the stock answer that it cannot disclose its hand because one might see what it is looking for beforehand, but that happens in other parliaments. Apart from coming in to look for €324 million for the next three years when the Houses are breaking up for the Christmas period, the Government is guillotining this legislation, with all Stages to be taken here in one session. There has been no meaningful Dáil reform. One can trot out the PR about the extra sitting day, but I pointed out how meaningless some are. Those are not proper sitting days and by and large the Government has not adopted the Bills taken here on Fridays into legislation. Off the top of my head, I can think of two Bills out of 42 from my party, the main Opposition party. There was not proper Dáil reform, in terms of the committee system or of the Estimates process. The Estimates should have been discussed calmly in committee in the cold light of day. We should be seeing the plan of services for Parliament over the next three years. This should be in the legislation, not a promise to review it next year. The review of the role and function of senior management structures of the Oireachtas, which is promised for next year, should have been done this year in advance of this budget being approved. On that basis, my party cannot support this slapdash approach by the Minister on the eve of Christmas.

Deputy Mary Lou McDonald: I am disappointed that the Minister for Public Expenditure and Reform, Deputy Howlin, is not here for this debate. Whatever about my personal disappointment, it reflects the fact that the Government’s approach is slapdash on the legislation and cavalier in respect of the sums of money involved. Essentially, we are being asked to put through a budget for the Houses of the Oireachtas for the next three years to the tune of €324 million, which works out at €108 million each year. I need not say, certainly, for anyone who might be watching this debate and who watched the budgetary debate over the past number of weeks, that €108 million per annum is substantial funding. At a minimum, Deputy Howlin should have been here. Meaning no disrespect to the Minister of State, Deputy Alex White, the Minister should have been here to present the case and the argument on two fronts: first, to give an account as to why €324 million is required over the next three years and to substantively defend that sum; and second, to explain, as has been previously stated, why we are dealing with this matter at the 11th hour.

Why is it that this matter is put before us just as we are coming to the finishing line of this Dáil session? It strikes me as a sneaky move. It strikes me, rather than have all of the issues

around what it costs to run the Oireachtas, including in respect of Deputies, Senators, advisers, upfront and centre in the mainstream debate on budgets and cuts, that the Government somehow wants to deal the heavy blows to the citizens in its cutback packages and increases in charges and then have a separate discussion to hive off the issue of the cost of the Oireachtas and legitimate public issues that arise around the pay of politicians, the allowances enjoyed by them and the issue of political advisers because it does not want those matters to enter into the broad discussion of the budgetary position. Of course, the problem for a Government so minded is that the people are not fools.

12 o'clock

The budget introduced by the Ministers for Finance and Public Expenditure and Reform delivered cruel blows to many sectors across society. In a very mean-spirited way it took €26 million from the carers' respite grant. For the first time ever it taxes maternity benefit. Despite all the pre-election posturing it cut child benefit again. It set aside the PRSI income disallowance and placed an additional burden on low and middle income earners. That budget has been well-analysed by the public at this stage. Then it comes to us and people say, legitimately, that if Labour and Fine Gael are to preach the gospel of austerity and lecture carers, mothers, families and women on the need to cut their cloth according to their measure, if they are going to say to people who are struggling that they have no option but simply to take it on the chin and accept these cutbacks, what are they doing about themselves? That is a very reasonable question and one that is on the lips of the public.

When the Ministers took to their feet and announced the Fine Gael-Labour Government budget, one of the most striking public reactions as people tried to take on board all the different cuts and the increases in charges, was to ask what the politicians were doing about themselves. It was an obvious omission for the Taoiseach not to take a pay cut because he should not be earning €200,000. I doubt if anyone anywhere, including in this House and including the Taoiseach himself, would not concede that €200,000 is excessive. If we are going to have conversations about value for money or bang for one's buck, the public is quite entitled to ask whether they are getting €200,000 worth from this individual. The answer to that is "no". The broader answer is that whoever occupies that office should not be in receipt of a salary of that magnitude. He is not on his own because, equally, the Tánaiste, Ministers and Ministers of State are also overpaid.

A budget that could do so much damage to so many was accompanied by language of fairness on the one hand and, on the other hand, an assertion that the State is insolvent and in dire circumstances. Those were the two pillars of the narrative from Government - fairness and economic crisis. In a spirit of fairness the Government cannot stand over those salaries and in the context of economic crisis, they are obscene. Why were they not cut? We have not had an answer to that from anybody in Government. Ministers get a salary of €170,000 which is ludicrous and needs to be cut.

In that spirit, I submitted amendments to the legislation to do precisely that. The remuneration of the Taoiseach and Ministers should not exceed €100,000 in circumstances of emergency and hardship. A salary of €100,000 is a very fine salary for any individual. There are very many people in the public sector and private sector, which is often pointed to by Members of this House, who would be more than satisfied, indeed delighted, to receive a salary of €100,000. However, my amendment on that matter was set aside because I am told the Houses of the Oireachtas Commission does not set the rates of pay for officeholders, which is, of course,

technically correct. That decision rests with Government and when this issue of obscenely high pay for politicians has been put to Government, it has simply given me and others the deaf ear. It is not open to that message. I am very frustrated and angry yet again that when an attempt is made to address this issue of pay, it is simply batted away and set aside.

On the issue of allowances, again my amendment was set aside. I was told the commission does not make those decisions, the Government does. However, the commission is, as the Minister of State, Deputy White, has said, almost the board of the Oireachtas, the administrator, the overseer. Therefore it has an involvement in these matters. My amendment proposed the withdrawal of a number of allowances we have. In a time of economic crisis, there is no justification for Members to get an allowance for a mobile phone. Other allowances proposed for withdrawal were those for the Ceann Comhairle, the Leas-Cheann Comhairle - with no offence to the personalities involved - Chairmen of committees, Vice Chairmen of committees, Leader of the Seanad, Whips and assistant Whips. All of these are additional baubles.

If we are serious about leading from the front, we cannot stand over these. I know I cannot and I believe the same is true for all Members of the House. I accept it has been custom and practice that these have existed in the past, but why can we not say that now in 2012 we will address these matters? They will not in themselves save a sufficient amount of money to set the economy to rights. I am not making that argument and I know that. However, they will give a very considerable and important message to the people we represent that we understand that even smaller sums of money are none the less significant sums of money, particularly from a Government that has let down carers, and vulnerable and struggling families. It is important that Government should not simply offer the rhetoric of fairness but demonstrate clearly that it understands the realities of life by making those types of decisions. I am outlining all this even though all my amendments were set aside.

For the record, I will detail how much would have been saved had my amendments been accepted and voted through. An emergency pay cap for all staff - not politicians - of the Houses of the Oireachtas Service would have saved €198,790. The combined saving from capping pay for the Taoiseach, Tánaiste and Ministers at €100,000, capping salaries of Deputies at €75,000 and capping salaries of Senators at €60,000 would be €4.3 million. The withdrawal of the allowances I mentioned would represent a saving of €754,879. I also tabled an amendment on capping the salaries of special advisers to Ministers at the first point of the principal officer scale, which is €81,000. That would realise a saving of €494,481. Of course, the Government had given a commitment to cap the pay of its special advisers, a commitment honoured more in the breach than in the adherence.

Time and again, Ministers paid their special advisers huge salaries, including most ironically and shamefully, the special adviser to the Minister for Social Protection. This is the same Minister who brought forward many of these social welfare cuts that will hurt and damage people so badly.

I had an amendment dealing with the withdrawal of the allowance of €17,000 paid to Ministers of State who attend Cabinet meetings. There are two individuals in that bracket. It would represent a saving of €34,000. I had an overall amendment in respect of pension entitlements for pensions in excess of €60,000. If the Minister for Public Expenditure and Reform was here, he would, no doubt, either nod or shake his head or make some gesture because I have had many long and fruitless debates with him on this issue. That would represent a saving of €10 million.

Those may not be earth-shattering sums of money for the Government but they are very significant because they come to almost €17 million. If the Government was minded to make those types of savings, it would allow it to reinstate 950,000 home help hours. The amendments and cuts I have set out are proportionate and moderate and are doable if the Government was so minded. They would not sort out the economic crisis and I do not make that claim but they could offset, for example, the cut to the home help hours. That would be a very worthy and worthwhile thing to do. By taking initiatives such as that, politics, politicians and the Oireachtas would genuinely demonstrate a capacity for and interest in leading from the front. However, this Government has no intention of doing that. My amendments were set aside and I was only informed of it at the very last minute. The Government hides behind the story that the commission does not decide the rates of allowances and pay.

We find ourselves in a pincer movement by Government. On one hand, the Ministers will not take the type of decisions I have described. They have stubbornly refused to cut their pay. The Taoiseach, Tánaiste and Ministers are grossly overpaid by international standards. This is a small State in a so-called bailout programme with almost 15% unemployment. It is a State that is haemorrhaging our best and brightest with emigration levels up where they were in the 1800s. This is the depth of the crisis. No State in those circumstances awards to its Taoiseach a salary of €200,000 per year. It is as simple as that but the Ministers either do not hear or do not want to hear that message so the Government in its Estimates will not take the decision to make the cuts that would be reasonable, proportionate and fair.

We then arrive at this pass where we have the legislation for the Houses of the Oireachtas Commission, or the board of management of the Oireachtas to use the Minister's expression, and are asked to nod through €324 million over three years by the same Government that will not take any of the reasonable decisions that citizens would expect them to take. This is deplorable. Perhaps the Minister of State will have more influence with his ministerial and Labour Party colleague, Deputy Howlin, and others to make them see sense.

A headline in one of today's newspapers stated that our budget for the Oireachtas was being sneaked through at the last minute. Not unreasonably, the article reflected on the fact the figures reflected a 2.5% cut to the budget for the three-year cycle. This does not tally well. I am a Deputy on the Opposition benches and one of the people who has argued strongly and sometimes trenchantly against the strategy of this Government and the endless austerity that is damaging the economy and society and for stimulus and investment. I have made and will continue to make that argument. I cannot understand or justify a system which continues to overpay politicians, particularly senior politicians and office holders.

Those on the far side of the House should understand that it is they who argue for cutbacks and savings. They are the people who tell cancer patients they are terribly sorry but the patients must pay €75 or possibly €80 for their outpatient appointments. They are in a Government that knows that in some instances, hospitals have taken on debt collectors to pursue these patients to get the money from them. It is a Government that tells older people it has tripled the prescription charge from 50 cent to €1.50, that they must take it on the chin and if they do not have the money, they will have to find it somewhere. It is a Government that tells families, many of them working families who rely on their child benefit to pay a bill, that it is tough luck as it is taking money from them as well. It is a Government that tells struggling families who will be trying to get children back to school next September that it is taking another €50 from their back to school clothing and footwear allowance. That is the Government's message to the public. If this was not bad and politically and economically stupid enough, the Government then tops it

off by saying that it will not cut its own salaries. It will fiddle a bit on the edges on the issue of allowances but it will not do anything radical or anything that might cause any discomfort to the political class.

It does all this at the very last minute on 20 December 2012 in the dying hours of this Dáil session. The Minister with responsibility for this matter does not bother to show up. Apparently, he has something better to do. Towards the end of the Minister of State's speech, he said, "The Bill is designed to allow funds be made available to the Houses of the Oireachtas Commission to continue to provide the services that facilitate both Houses in the carrying out of their work". It is followed by this classic line: "I am sure that Deputies will support this very worthwhile aim". This Deputy will not be supporting the Government's aim for the reasons I have set out. If the Government expected to come into the Dáil looking for clearance of a budget of €324 million for the next three years and passive agreement or acquiescence from this side of the House, it was very wrong. I was struck by the fact that when the Minister of State made his opening statement, he left out one line. It is on the second page. The Minister of State was speaking about how the debate in the Seanad had gone and that concerns were raised about a lack of transparency in the commission's operation and in communicating the efforts it makes. In fairness to the Minister of State I know why he left it out. The sentence reads, "In other words, there is a good story to tell here and it should be told vigorously." I am sure the Minister of State can see it in his script.

Deputy Alex White: I have an aversion to clichés, that is my problem. It had nothing to do with the content. Read the sentence before it.

Deputy Mary Lou McDonald: Whatever the Minister of State's personal aversions may be, I well understand why he did not read out the sentence because there is no good news story. The story that €324 million will be required to run this place for the next three years will not be regarded as a good news story. I imagine the Government will not be too keen to tell this story too vigorously, to use the words from the script. The worst part of the story is that it proves definitively - game, set and match - that in the mind of the Government there are two standards in operation. There is the standard of austerity and hardship, and in some cases brutality, for people who are just getting by, who are the average five eighths, the average, regular Joe and Josephine citizens who rely on public services, do their best, are perhaps out of work or get out to work every morning and do their level best to provide for themselves and their families. The story for this set of people is that the Government will come and pick their pockets time and again. When it has picked their pockets it will smack a big tax on the family home. This is the general gist of it. The other story is for a protected class of persons, some of whom are very wealthy, referred to as high net worth individuals. Some of them are in the upper echelons of the public service and Civil Service; they are small in number but they are there. In this protected category in the mind of the Government are Members of the Oireachtas. This is a tale of two realities.

Sinn Féin will not support the Bill and we will never be party to a policy, Government, attitude or outlook which has such a gross sense of entitlement by senior officeholders stitched into its very fabric. We believe this is wrong and that the least the Government could and should do is to trim its own sails, cut its own cloth according to its measure and bear in mind it is the taxpayer who funds all of this. The officeholders are not worth the €200,000 paid to the Taoiseach or the salaries paid to the Tánaiste and Ministers. I have heard the L'Oreal defence used before, but they are not worth it and the general public knows this.

In opposing the legislation I wish to state it would be advisable for the Government to go back to the drawing board and look again at the €324 million. It might even take on board some of the amendments I tabled. The Government should go back through the expenditure line by line and item by item, and if it wants cross-party support for legislation on the Houses of the Oireachtas Commission and for the spending and budget for these institutions which must be kept up and running it should do what needs to be done, and this means playing fair. The time for exempting senior officeholders and the Oireachtas from any of the budgetary pain must end.

Deputy Catherine Murphy: The first thing that struck me about the legislation is that it amends the principal Act and is framed in such a way that this must be done every three years, the previous occasion being 2009. The very fact we are seeing this on the last day of this term suggests it has been timetabled so it will not be seen, as has been said by other speakers. This is one of the reasons the Bill should be opposed. Other reasons are found in the content and I will discuss what I believe should be excluded.

The Houses of the Oireachtas Commission was established in 2004. It seems to have been possible for the Houses to function without the commission and it costs money to service it. It does not meet all that frequently, if one looks at its website. One wonders whether one would miss it if it were abolished. From what we have heard, it is an impediment to change rather than a vehicle for it. I have serious questions about whether it should exist.

In the absence of this argument being accepted, I do not understand why it should not be obliged to produce amending legislation on an annual basis. Why is it done on a three year basis? We are in a very different time now. I remember that not so long ago we voted on a Thursday morning on Estimates for next year presented to us without debate. This is our opportunity to discuss these issues because matters are timetabled in such a way that we do not have time to debate figures whereby we can independently forensically examine them and take them apart. This is an incredible way to treat a very major cost. I accept that democracy does cost and must be funded, but at the same time it must match the circumstances outside of the Oireachtas and the circumstances for many people are dire.

The Houses of the Oireachtas Commission was established in 2004, which was a very different time. There was a huge increase in the number of quangos then and I question whether this is just another one. I reiterate my point on whether it is needed and whether it complicates people's understanding of how politics is funded and how our democracy is funded.

According to the Houses of the Oireachtas website, the commission has a responsibility to produce three yearly strategic plans, annual reports, annual Estimates and other information. There is no point in producing these if we will not have the capacity to debate them in detail and go through normal Committee Stage at a meeting of a committee for which, ironically, the Houses of the Oireachtas Commission provides funding.

It is no accident that all Stages of the Bill have been tabled in the week prior to Christmas when things are winding down. This is done so little attention will be paid to this €324 million. The way things have been timetabled recently has been an affront to democracy. Not only are major pieces of legislation heavily guillotined - such as the Social Welfare Bill, the Finance Bill and the property tax legislation - but also they are timetabled in such a way that, for example, Committee and Report Stages, where some amendments will be debated in detail, happen late at night so that there will be the least amount of scrutiny. Democracy itself is being circumvented by the way in which this is happening and it is no accident.

The budget is clearly set to cover such items as salaries, wages and allowances in respect of staff of the Houses of the Oireachtas, IT services, televising proceedings, library and research services, which are all very necessary. I have no difficulty with that.

Section 3 provides for salaries of Members, including officeholders and chairpersons of committees. I do not believe that, at this time, payment should be made for chairing Oireachtas committees or indeed for Whips' allowances or those sitting on the Houses of the Oireachtas Commission. The committees are overloaded with work. The intention was to try to reduce the number of committees, not because that was a better way for them to function but because it would reduce the need to pay a person to chair them. That seems to me to be making a decision for all the wrong reasons.

Many of us would argue that the committees on which we sit are not dealing with the breadth of work they could because one is trying to push a couple of Departments together. Decisions are being made for the wrong reasons but that would change if we stopped paying chairpersons. It would provide for decisions to be made for the right reasons. These are hard decisions because they will be made by the people they affect. We should be making these kind of decisions, however, because it shows leadership.

When we knocked on doors in 2011, there was an expectation of change. People also expected that many of these matters would not be a feature of this Government, yet vulnerable people are being exposed to major economic impacts due to the decisions that are being made.

There were some changes in the recent budget, including a reduction in the travel and accommodation allowance element with a 25% reduction for people in the Dublin category or those living within 16 miles of the Dáil and a 10% reduction for bands outside that. The reduction should have gone much further. I have no difficulty with costs being paid to cover the legitimate overnight expenses of people who must spend nights here on Dáil business, or costs for those travelling long distances. Such allowances should all be vouched. In addition, the number of bands should be reduced to maybe three or four, whereas there are currently a dozen. The system should be entirely transparent, which is why it should be vouched.

I would question why there is a payment for those who live within commuting distance of the Dáil. I live in what is known as the commuter belt where it is not unusual for people to travel 30 or 40 miles to work every day. Yet the banding system allows for those people who live as close as 17 miles from this House to claim an overnight allowance. The difference between the Dublin band - which was €12,000 but has now gone to €8,000 - and the next band, between 16 and 25 miles, is €16,000. It is shocking. No one who lives that kind of distance from the city would expect to spend an overnight here on legitimate work.

The Houses of the Oireachtas Commission has been tasked with considering further reforms, but it is a closed shop. It includes Fine Gael, the Labour Party and Fianna Fáil, while Sinn Féin and the Technical Group are excluded from any kind of deliberations. Any review should be independent and we should be benchmarked against other parliaments of similar size if we are going to have any credibility.

How we fund politics also sustains the kind of political system we have. These allowances started in 1938 under a de Valera government and they have been added to and evolved with major changes over the past two decades. It is difficult to track the various ways in which politics is funded because there is such a disparate range of means of providing for it. We have to

question our entire approach to political funding in Ireland, which means reforming both private and public funding. There should be an even playing field for all those who participate in politics, or those who may wish to do so. For example, if a new political entity emerged now it could not find any means of funding until a general election was held. It is an impediment to new political entities.

We need to challenge the debate on political reform. The public expected that waste and excesses would be taken out. In addition to funding provided by the Houses of the Oireachtas Commission, further funding is provided under the Electoral Act 1997. According to the Bills Digest, this funding is a contribution to parties' annual running costs under the Act. Each of the qualified parties receives a basic sum of €126,000 plus a proportionate share of the fund of €4.9 million - that was in 2010. That is not related to the number of seats won.

Independents are excluded from this funding stream because we are not a qualifying political party under the terms of the legislation. However, 17% of people decided that they did not want to vote for the political parties on offer. There was no discount of that fund, however, and the money was not returned to the Exchequer. It was shared among the political parties that did qualify. That is something like €4 million over the lifetime of the Government. That is plainly wrong and it is an offence to the people who decided that they were not going to elect people from the political parties on offer.

There is another aspect that needs to be examined and the Bills Digest went into it. A key problem with the current political finance regime in Ireland is that it has been relatively easy for parties to raise funds from private sources without disclosing them, thereby defeating the purpose of the regime in the first place. According to a 2008 report, despite parties declaring more than €10 million in campaign expenditure for the 2007 general election, just €1 million was disclosed in donations. None of the three main parties disclosed any donations in 2009 or 2010 despite the fact that there were local elections in 2009.

The Houses of the Oireachtas Commission provides salaries for support staff for each Deputy. However, what is not appreciated is that the political parties also receive additional resources which constitute a secretariat to run the business of the Oireachtas. An additional allocation of 0.8 per Member in secretarial grade staffing is provided to parliamentary parties. That does not mean, however, that a group like the Technical Group is accommodated in that regard. I do not dispute that there is a need for such group staffing, but I do question the extent of the allocations. I also question how the Houses of the Oireachtas Commission, in its standing orders, allows for the formation of a Technical Group, but excludes such a group from receiving a staffing allocation.

For example, our group has 16 Members, yet we get no resources whatsoever to co-ordinate our activities. If one looks at the numbers, Fianna Fáil gets 23 people, while Fine Gael gets 26, which is discounted because it is in Government. There are 78 staff members. However, the Technical Group must combine and jointly fund one person. We do not get a desk, a telephone, an office or a computer. We must employ an accountant and set ourselves up as an employer. This is an affront to how a democracy should run. Given that the Technical Group comprises one third of the Opposition, the Government could be accused of trying to reduce its impact by designing the scheme in such a fashion. This is wrong and should be changed. While I believe some of this expenditure is excessive, the work certainly cannot be done without a secretariat of some sort. I believe it is wrong to present this Bill on the last day of the term in such a fragmented way and in the absence of talking about overall reform. There are huge changes and

savings to be made, which would show some leadership from this Oireachtas.

Deputy Maureen O’Sullivan: Bhíos ag smaoineamh ar chéad lá na Dála seo agus an difríocht idir an lá sin agus an bhliain go leith a bhíos san Dáil roimhe sin. I was thinking about the difference between the first day of the present Dáil on 11 March 2011 and my experience of the previous Dáil, which had a jaded air about it and a sense that it was running out of steam, energy and vision. I listened to the new Taoiseach that morning and there was no doubt but that there was an expectation that this would be a new era. The energy and enthusiasm in that speech was obvious and the saying that sprang to mind certainly was that this was a person who was up for it. There was a sense that things would be different, the new broom would sweep things clean and what had marked the previous years - namely, the overspending, extravagance, greed, self-interest and recklessness - all would be over. Moreover, there was a sense that there would be an end to those institutions, quangos and practices that had contributed to all that waste, that there would be an end to inappropriate spending and overlapping and that all of these issues would be tackled head-on. Perhaps I was naive but I thought that was what would happen. One year and nine months later, one might ask what progress had been made in making the Oireachtas efficient or making it really engaged with the important issues that concern Irish society. One also might ask what has been done to make the Irish citizen proud of this institution in order that Irish citizens now are more confident the men and women they elected are doing the work for which they were elected. In addition, one could ask whether the question of the abuse and misuse of power is being addressed. Finally, one could ask whether the best use is being made of the available resources. As life undoubtedly is much more challenging at present on foot of the downturn and the recession, it is of even greater importance that Members get their priorities right and that they eliminate waste and unnecessary spending.

Turning to the subject being debated in the Houses of the Oireachtas Commission (Amendment) (No. 2) Bill, this sum of €324 million, to be used over the next three years in the performance of the functions of the Oireachtas, is a highly significant amount. Consequently, it is vital that it be spent in a fair way that ensures efficient use of that resource. Part of this allocation is for the staff in the Oireachtas and while not everyone is covered in this particular provision, I wish to acknowledge the hard work, commitment and unfailing courtesy from all the staff within these Houses, including the staff engaged in catering, the Library and Research Service, the stationary office, cleaning, maintenance, printing, communications, gardening, the Bills Office and the ushers. Members probably do not recognise them enough but I will take this moment to acknowledge it. Moreover, I believe salaries must be appropriate to that work and to people’s hours of work. I always have a difficulty when people are obliged to work overtime to make their salary livable on and perhaps basic rates need to be considered in that regard.

I acknowledge the amount under debate is less than the €360 million provided for the previous three years and less than the €393 million provided in the three-year period before that. Obviously, we are heading in the right direction. When the Minister of State introduced the Bill to the Seanad, he stated “funds are only designated to essential expenditure” because “the Oireachtas must show the public that it is ready, able and willing to participate in the general reduction of administrative costs”. Part of this legislation is progressive - namely, the manner in which the accounts will be presented and the receipts to be retained by the Commission and offset against Exchequer allocation. Consequently, it will be accounted for and it is hoped this will lead to greater efficiencies in providing the services.

Debate adjourned.

Topical Issue Matters

Acting Chairman (Deputy Robert Troy): I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 27A and the name of the Member in each case: (1) Deputy Luke ‘Ming’ Flanagan - the need to address the problems of rogue taxi drivers through regulation; (2) Deputy Shane Ross - the proposed closure of Stepside Garda station, County Dublin; (3) Deputy Patrick O’Donovan - the need for lands owned by Shannon Development in Limerick to be transferred to the local authority as part of any restructuring of Shannon Airport and Shannon Development; (4) Deputy Jonathan O’Brien - the effects of the increase in the pupil-teacher ratio from 17:1 to 19:1; (5) Deputy Timmy Dooley - the need to publish the positive ageing strategy; (6) Deputy James Bannon - the need to clarify the position of the future of the family resource centre programme; and (7) Deputy Éamon Ó Cuív - the need to reverse the cuts announced yesterday to the funding for RAPID co-ordinators and to ensure adequate funding for the RAPID programme which is focused at the most deprived urban communities.

The matters raised by Deputies James Bannon, Shane Ross, Timmy Dooley and Deputy Luke ‘Ming’ Flanagan have been selected for discussion.

Houses of the Oireachtas Commission (Amendment) (No. 2) Bill 2012 [Seanad]: Second Stage (Resumed)

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

Deputy Maureen O’Sullivan: This is a very important Bill. It is particularly important for the public, whose taxes are contributing to what we are discussing, and they want greater accountability. There was a need for this Bill to be accompanied by a Bill dealing with parliamentary reform, as we cannot talk about the funding of this organisation without taking a good look at how the organisation does its work. Progress is being made on reducing the budget but this should be accompanied by a reform aspect.

I will use the recent property tax Bill debate as an example, although I will not discuss the property tax. A number of amendments were tabled by Deputies and much work was done by the Deputies and their staff in putting those amendments together, with much work for the Oireachtas staff in achieving the final grouping of these amendments. I am sure that amounted to hours of work. When we came in here to debate the Bill on Tuesday, it quickly became obvious that we would not be discussing any amendments. I am thinking of all the work that went into those amendments, although this is just one example. The debate focused on section 1, with contributions amounting to a talking shop about everything to do with the Bill rather than being relevant to section 1. This occurred instead of a more progressive and efficient way of working through amendments. This practice, which is replicated elsewhere, needs to be addressed, as it is not an efficient use of staff and resources.

Reference was made to the committees. Some committees are unwieldy because they have such a large number of members. It is ironic and fortunate that they do not attract full attendances as it would otherwise be difficult for them to get through their work.

The Order of Business and Leaders' Questions are characterised by examples of appallingly bad behaviour. It is not a surprise that members of the public lack confidence in the House and I am sure they wonder why they elect us. Much of the behaviour during the Order of Business and Leaders' Questions is intended to attract media attention rather than focusing attention on a particular issue.

The salaries of Deputies have generated considerable public debate. While I do not have a problem with the salary we receive, I have a difficulty with our expenses and allowances. As I have noted on previous occasions, I dislike the culture of claiming expenses. My background is in voluntary work where one would not hear the word "expenses" used. One of the most despicable aspects of the Celtic tiger was the emergence of an expenses culture. Among the first items on the agenda of many bodies is what expenses will be available to members attending a meeting, even if they are required to do little more than cross the road. In the current climate, expenses should be at least halved, not only in the Oireachtas but across the board in State and semi-State bodies, voluntary organisations and all other organisations in receipt of State funding or to which members of the public must pay membership fees. The outcry from members of the public about this abuse of their money is not loud enough.

Members receive good salaries and should not be able to claim expenses for various items. I acknowledge the work of the Standards in Public Office Commission, which has argued for greater transparency and a new approach to the general funding of parties and Independent Deputies. The Oireachtas Library and Research Service produced alarming statistics on the money spent by political parties on campaigns and noted that only one tenth of this expenditure is disclosed in donations. We are all aware of the unhealthy relationship between certain political parties and businesses. We saw the results of an unethical, immoral and illegal system under which political funding was provided in return for favours, although steps are being taken to eliminate this problem. It is all very well to agree to reduce the maximum amount of donations, provide a register of corporate donors or introduce a threshold above which donations by companies and trade unions must be declared but implementing these measures will be vital in ensuring political funding is properly reformed and we do not return to the days of stroke politics.

The leader's allowance was introduced to try to redress a previous imbalance whereby political parties received State funding and Independent Members were not provided with an allowance. I acknowledge the work and research done on this issue by Independent Deputies Stephen Donnelly and Catherine Murphy. Figures on State funding to the political parties show the Fine Gael Party received €5.5 million, the Labour Party received €3.5 million, the Fianna Fáil Party received €3.75 million, Sinn Féin received €2.2 million, the United Left Alliance received less than €500,000 and Independent Deputies received less than €1 million. I understand some of the figures may not be fully accurate. In terms of the relative strengths of the various groups, one finds that apart from the €41,000 received by each Independent Deputy, the Fine Gael Party received more than €67,000 per Deputy, the Fianna Fáil Party received €172,000 per Deputy, the Labour Party received €83,000 per Deputy, Sinn Féin received €147,000 per Deputy and the United Left Alliance received €86,000 per Deputy.

I reiterate my view that I would not have a difficulty with having the leader's allowance removed from me if funding for the political parties were also removed in such a way as to en-

sure it could not be clawed back through any loophole. This is an issue of fairness and equality. Independent Deputies are elected by citizens and have the same mandate as other Deputies but are not being treated equally. There must be a level playing field.

As Deputy Catherine Murphy noted, the current system is also unfair as it applies to staff. In monetary terms, Independent Deputies do not receive any funding for staff while the Fine Gael Party receives more than €700,000, the Labour Party receives €481,000, the Fianna Fáil Party receives €878,000, Sinn Féin receives €400,000 and the United Left Alliance receives €77,000 for staff purposes. While all Deputies are offered the option of hiring a secretary and parliamentary assistant, much more funding is available to parties. Independent Deputies do not have additional staff other than the person we employ using the leader's allowance. We all have an office, information technology facilities and a telephone while the parties have additional space and facilities for the additional staff they have. We must provide staff we hire with a computer and Deputy Catherine Murphy has made space in her office for the person whom she and I employ.

The Technical Group, Sinn Féin and the Fianna Fáil Party are of roughly equal size, yet the Fianna Fáil Party and Sinn Féin receive funding for 9.5 and seven additional staff, respectively, on the basis that they are political parties. The Technical Group is a grouping but as elected representatives, we are entitled to equality of treatment. This is an issue on which we have been too quiet. While members of the Technical Group do not oppose a system of vouched allowances, I would prefer them to be eliminated or much reduced across the board. If the allowances available to the political parties were reduced to the level of the leader's allowance for Independent Deputies, it would generate savings of millions of euro.

More could have been done in the area of travel and accommodation. I concur with Deputy Catherine Murphy's comments on Deputies who live near Dublin, although I accept that the needs of those who live further away must be addressed. Again, however, they should provide receipts for expenses such as fuel and vouched expenditure limits should be much lower. I concur with the views expressed on additional moneys paid to chairpersons, vice-chairpersons, Whips and so forth. While I accept that a single body with sufficient funding must run the Houses of the Oireachtas, parity of treatment and fairness must prevail.

I wrote to the Committee of Public Accounts asking the reason it could not require multinational companies to come before it to account for tax issues, as is the case in Britain. I was informed that this function is not available to the committee. We are supposed to work efficiently and in a meaningful way that will make a difference. This is one area where we could make a difference, although, as others have noted, we are still waiting for the banking inquiry to commence.

I am pleased the Minister of State at the Department of Health, Deputy Alex White, is present. We have been informed that the cut in funding to the drugs task forces will be of the order of 3%. I understand the Health Service Executive is considering introducing a further 5% cut in funding for addiction services across Dublin city and county. Such a reduction would have a detrimental effect on projects such as SAOL, Ana Liffey, Soilse, the North West Inner City Training and Development Group, and Crinan, which are doing great work. The number of people seeking to access these services is increasing significantly and any additional cut would result in substantial reductions in service. While I accept that tough decisions must be made, they should be applied to those who can bear the burden, for example, Members of the Oireachtas, rather than vulnerable people who require the services being provided by the drugs task

forces and others.

Deputy Frank Feighan: I am sharing time with Deputy John Paul Phelan. On this occasion, as in the past, an interdepartmental group consisting of departmental and Oireachtas officials, known as the parliamentary service reform group, has suggested a number of improvements such as re-jigging the presentation of accounts and retention of receipts. These recommendations are included in sections 3 and 4 of the Bill. The group's report was made to the Houses of the Oireachtas Commission. I understand recommendations to modernise the senior management structure in the Oireachtas service and remove the outmoded model of the Staff of the Houses of the Oireachtas Act 1959 are still before the commission and will be progressed in the new year. I welcome the Minister's commitment to introduce legislation on these matters early in 2013.

While I welcome the Minister of State's acknowledgement that modernisation has taken place, it must not be hindered or constrained by legislation introduced more than 50 years ago. Members and the Houses require a modern flexible management structure to ensure the services provided to the Houses and Members in fulfilling their constitutional role are fit for purpose in 2012 and beyond.

I note in section 2 that €324 million in funding to the Houses of the Oireachtas will be allocated for the next three years. As the Minister of State noted and in case it is overlooked, funding to the Houses has been reduced significantly and in a manner that fully reflects the downturn in the economy and pressure on the public finances. It is worth noting that the allocation provided for under the previous legislation establishing the commission was €295 million in 2004, €397 million in 2006 and €360 million in 2009. More should be done to reduce this expenditure. I welcome any submission or suggestion to achieve this. As members of the commission and as Members of this House, we should try to lead the way in reducing the cost of running the Oireachtas. Given the constitutional role of the Houses in holding the Government to account, the allocated figure is a small fraction of the projected overall State expenditure of €56.2 billion for 2013. However, we should always try to reduce costs.

Members have seen significant cuts to their allowances and salaries. There is a misconception that since the commission's funding covers the payment of allowances and salaries to Members, it has a say over them. This is not the case. The Minister for Public Expenditure and Reform is the legal regulatory authority for setting allowances even though the payment thereof is made and accounted for by the commission.

It is only correct that the commission cannot set Members' allowances but is it appropriate for the Minister to deal with allowances unilaterally at budget time? The commission has made suggestions as regards reducing costs. The Committee of Public Accounts recommended that an external body should do this work, allowing for a more transparent and measured approach to comparisons with Members of other parliaments. We must be up front in terms of how to reduce our costs.

The commission's stewardship of the finances allocated has been exemplary since its establishment. It is not well known that, due to the constitutional and statutory position of payments, only 6% of the money drawn down by the commission from the Central Fund is discretionary, with a very small "D". This figure will reduce to 4.7% thanks to the savings achieved this year to date by the commission.

The commission's annual report provides useful international comparisons in respect of the ratio of staff to Members. Ireland is ranked 12th out of a total of 21 parliaments studied and tenth out of 18 in terms of political staff. We should improve and strive to be in the top three in each case. The conclusion to be drawn is that Members are far from being at the top of the league when compared with the parliaments of other well developed democracies. Any review of allowances should be benchmarked against other parliaments to ensure that Members remain financially independent and above reproach in carrying out their constitutional duties.

Being on the commission gives me an insight into how the Houses are run by the Houses of the Oireachtas Service. While there is always room for improvement, I have been impressed with the dedication and efficiency across the entire span of activity, such as the Library and Research Service, which every Deputy uses, in support of sittings and Members as we go about our business in challenging environments.

Since the commission came into operation in 2004, the service has needed to adapt to its new role in supporting an independent corporate body, effectively known as the commission, while managing the everyday activity of sittings of the Houses and supporting Members. The span of activity undertaken by the service covers far more than sittings and supporting Members, as important as these are, and reflects the demands of a public sector corporate body. The commission's financial and corporate governance has a primary role in ensuring that financial probity is guaranteed as far as possible in this high-profile area.

The annual report, which is largely forgotten in the overall scheme of Leinster House, gives a good account of the range of work being done. That work is not always as widely appreciated as it should be, given the challenging environment presented by the state of the public finances.

None of this could have happened without dedicated staff in the Oireachtas service being committed to change and modernisation. This must be encouraged by the commission. For this reason, I welcome the Minister's commitment to introduce legislation to amend the Staff of the Houses of the Oireachtas Act 1959. I also welcome the fact that the pressure for change is coming from the Civil Service itself.

I thank the Minister for Public Expenditure and Reform, Deputy Howlin, for his work in the past 18 months. He worked closely with members of the public service to try to bring about change. An interdepartmental group comprising officials from the Minister's Department and the Oireachtas service is also involved. I look forward to the changes that the Minister will propose and I hope that this public service is reformed as quickly as possible.

Deputy John Paul Phelan: I wish to make a few points on the Bill. Although Deputy Sean Fleming's colleague is present, I am sorry that he is not. I was struck by his contribution, during which he referred to today as being Christmas Eve no fewer than 12 times. I would hate it if he woke up tomorrow morning and there were no presents under the Christmas tree. He believed that today was Christmas Eve, but that is actually next Monday.

In the Minister of State's concluding remarks, he might clarify the reason for discussing this legislation so close to the deadline. I assume that the changes announced by the Minister in the budget must be reflected in the legislation on the budget for the Houses of the Oireachtas Commission.

I am also a bit miffed about Deputy Sean Fleming's comments on Dáil reform, his notion of which is the Dáil sitting an extra day per month. When the Deputy was the Chairman of

an Oireachtas committee in a previous existence and under a different regime, we would have finished for Christmas in the first or second week of December and the Oireachtas might only have returned in the final two or three days of January. This was how the Oireachtas was run. The significant reduction in our recess periods reflects the fact that much more is being done in terms of legislation and discussion.

This is not to say that all of the necessary changes to how legislative debates are held in this House have been introduced. I am unhappy with the lack of discussion on some important Bills. However, it is important to point out that, when the Oireachtas dealt with one of a number of significant Bills last week, a couple of hours were lost due to the Opposition's usual messing. Reform must involve all sides of the House. We have a way to go in terms of reforming how the Oireachtas handles legislation. The Houses are sitting twice as often as used to be the case. This is my 11th year as a Member and I remember Christmas and other recesses being lengthier than is now the case. It is patently wrong to claim that the only change has been an extra day, or one Friday, per month.

I also wish to ask the Minister of State about the matter on which Deputy Sean Fleming showed mock indignation, that is, the lack of a banking inquiry. Last week, I may have heard the Minister for Public Expenditure and Reform refer to the publication of new legislation on Oireachtas inquiries. In November 2011, the people decided in a referendum not to extend Oireachtas committees' powers of investigation. The Minister of State may be able to outline the status of the legislation on the changes required to allow committees to hold important inquiries.

I am intrigued by Deputy Sean Fleming's eagerness to have the Seanad abolished. I was of the belief that Fianna Fáil was opposed to abolition.

Deputy Simon Harris: This week.

Deputy John Paul Phelan: Indeed. The Minister of State might-----

Deputy Timmy Dooley: The Deputy should not wind me up.

Deputy John Paul Phelan: There was a time, Deputy Dooley, when we were all there. The Minister of State might refer to the position as regards putting the issue to the people in a referendum. The last I heard was that a proposal in this regard will be forthcoming in 2013.

It is important to acknowledge the significant reductions that have been achieved in the cost of administering the Oireachtas. As finance spokesman for Fine Gael in the Seanad in 2006, I recall a discussion regarding the funding of the Oireachtas Commission, which in that particular legislation was set at just shy of €400 million. By contrast, the amount proposed for this purpose for the next three years is just over €320 million. This represents a substantial reduction which is certainly in line with, if not ahead of, the reductions in the cost of administering other Departments and agencies. In fact, the reduction in expenditure on the operation of the Houses of the Oireachtas is approaching 20% in the past four years.

In recent years we have seen a 10% reduction in staffing levels in Leinster House. Many of the visitors I bring to the Oireachtas are struck by the number of people who work in these buildings who are not politicians. The staff include secretarial assistants, parliamentary assistants, committee staff, staff of political parties, ushers, staff in the various ancillary facilities and so on. The newly extended library and research unit is a particularly positive initiative. For

a long time the former head librarian of many years standing and who is retired several years - an elderly gentleman named Patrick whose surname I cannot bring to mind just now - and his colleague Seamus Haughey were the only staff in the library. In fact, it was effectively just a reading room. The service provided by the library and research unit, particularly its function in reviewing legislation and offering Members briefings on Bills coming before the House, is a huge advance on what was previously available.

I will conclude by referring to an issue that has been something of a bugbear of mine for some time, namely, the proposal for the provision of free iPads to all Members. Following concerns expressed in this regard by me and by others, it has now been proposed that Members should use their vouched expenses to cover the cost of a new iPad. This is certainly a more acceptable proposal than the appalling prospect that each Member would receive a free electronic device at a time when families throughout the State are suffering significant hardship. I would go further, however. I might be misinterpreting the information we have been given, but it seems to be saying that it will be optional for Members to claim for a new iPad under their vouched expenses. I urge the commission to specify that it will be mandatory for such purchases to be included under vouched expenses. Moreover, this facility should only be availed of by Members who do not already possess one of these devices. Even though I am not especially technically literate, I have had an iPad for several years and have no need of a second. I understand the Oireachtas information technology service is in a position to offer support to Members who already use an iPad, which would be most helpful.

In this context, I welcome the change in thinking that seems to have taken place in regard to the provision of these important and necessary items. To clarify, I am not a Luddite. On the contrary, anything that will reduce the cost of providing documents to Members is very much to be welcomed. I use my own iPad extensively in my work as a member of the Joint Oireachtas Committee on Justice, Defence and Equality. It means I do not have to print a small forest of documentation before attending committee meetings. Nevertheless, the original proposal that a free iPad be given to every Member is unacceptable in the current economic circumstances.

Deputy Timmy Dooley: I welcome the opportunity to contribute to this debate. While recognising that the Bill is limited in its function, it nevertheless affords us an opportunity to discuss the broader issue of reform within the Houses of the Oireachtas. It is an issue about which I have strong views. Like Deputy John Paul Phelan, I started out in the Seanad 11 years ago. As part of the work of that Seanad, we contributed to the compilation of a significant report on reform of the upper House. Our enthusiasm, although noted and commended by our wiser, more experienced peers, was nevertheless tempered by their word of caution that this particular report, like others before it, would most likely be left on the shelf.

Deputy Alex White: The Deputy's enthusiasm has not waned.

Deputy Timmy Dooley: Thank you, Minister. Unfortunately, those warnings proved accurate and the report was indeed left on the shelf.

I do not wish to be partisan on the last day of business in the House, but I must point out that the only movement we have seen from the current Administration in the area of parliamentary reform was the effort before the election to garner votes on the basis of a commitment to abolish the Seanad. In fact, that became the tag-line for parliamentary reform for the Government, the be all and end all of its ambitions in this area. That was most disappointing at the time and I suspect that disappointment might well now be shared by many of my colleagues on the other

side of the House. It was certainly an eye-catching slogan which attracted a great deal of media attention in the run-up to the election. I am convinced, however, that the abolition of the Seanad would not enhance democracy in this State. We should bear in mind that if a referendum were put to the people at this time to abolish the Dáil, it would probably succeed. We must be careful and considered in our approach to reform and any action in this area must be strategic. As others have said, we must consider best practice in other jurisdictions, while also heeding the positive aspects of our own culture and developed parliamentary practice. That tradition has served us reasonably well, notwithstanding some considerable failures along the way. In that context, I hope there will be a more broadly-based approach in respect of efforts to reform how we do business in these Houses.

The Oireachtas Commission has done important work since its inception, but a great deal remains to be done. Likewise, there is further work to be done by the parliamentary service reform group that was involved in bringing forward proposals for this particular Bill. The Minister of State has indicated that there will be further amending legislation relating to the modernisation of senior management. Everybody who works in Leinster House recognises the need for new structures suitable for the modern era. These Houses could very easily become bedded in the past rather than looking to the future. We must keep pace with technological developments, which requires having people with expertise in that area. There are fantastic individuals working in the Oireachtas who have sought external support in modernising the workings of the Houses. Whatever the Government is prepared to do in this regard will be most welcome.

We have a very dedicated staff in the Oireachtas who have worked tremendously well against very difficult deadlines. Many people do not appreciate that when parliamentary business runs late into the evening, certain staff are obliged to stay on to prepare amendments and so on. That is often lost in the commentary about the cost of operations of the Oireachtas, which can look high when consolidated over a three or five-year period. These are fundamental aspects of the running of a democracy. There is certainly scope for tightening up, perhaps through a greater emphasis on technology. That is something we all support. It is important, however, not to undermine or detract from the phenomenal work done by Oireachtas staff.

There is an onus on elected Members, both in government and opposition, to find better ways of doing our business. Observers of proceedings in the Oireachtas who are sometimes irked to see only three or four Members in the Chamber at a particular time may not understand how business is ordered on a daily basis. That is why we must give a more extended period of time to Leaders' Questions and to the Order of Business, when parliamentarians get the opportunity to discuss current issues of national importance. That is ultimately what the news programmes carry and what people look at each day. It would be nice, perhaps, if they spent more time tracking the more mundane legislative proposals that might not apply to them for years to come, but they do not. They look to Parliament to hear about the current issues of the day. We have much work to do with regard to giving appropriate time to allow issues to be discussed and thrashed out a little more, even if that takes half a day for three days per week. We would achieve better engagement with the public. I accept that is not something the Government agrees to easily, regardless of who is in government, and it is easy from an opposition perspective to identify and highlight the advantages of such an approach. I am also mindful that business must be done and what might be considered more mundane tasks, such as debating, amending and processing legislation, is important work that must be scheduled as well.

I hope the Minister will fulfil his commitment in the new year to introduce legislation to deal with the modernisation of the senior management structure of the Oireachtas services, based

on the work of the parliamentary service reform group. If that amending legislation is brought forward, we will have an opportunity to discuss in more detail the type of expertise and access to information that is required to ensure the Houses of the Oireachtas remain in step with the public and have access to the latest technology and the greatest capacity to communicate with the electorate. I welcome the progress made in broadcasting the proceedings on one of the television channels. Unfortunately, it is not freely and widely available. I urge the Government to enter into negotiations with the transmission providers, be it RTE or TV3. We were led to believe that the arrival of digital television would mean a far greater capacity to deliver a greater number of channels. The Ceann Comhairle has done a considerable amount of work on this and I hope the challenge will be met by TV3 or RTE or whatever broadcaster can provide that facility to the greatest number of people, as happens in other jurisdictions. There is, for example, C-SPAN in the United States, and I am sure there are similar facilitators in other jurisdictions. I will conclude on that point.

Deputy Patrick O'Donovan: I am sharing time with Deputy Harris.

I welcome the opportunity to comment on this Bill and on political reform generally, which has been mentioned by some Members. It has been already mentioned that if the last Administration were in power, the Dáil would have risen last week and would not sit again until probably the first week in February. It would rise again for another fortnight shortly afterwards. One tangible change since the current Government took office is that the recesses are shorter. That gives rise to other issues. We all have constituencies and there is an expectation in those constituencies that we should be there too. However, we must step up and be counted because ultimately we have an obligation to be here in the Chamber.

What was remarkable for me in the past three weeks was the absence of most Members of the Opposition on the Mondays and Fridays when the House sat. It is regrettable. The very people who are crowing from the rooftops that the Dáil is not sitting for meaningful discussions were notable for their absence when those meaningful discussions were taking place. That happens a lot with many Members of the Opposition. As a new Deputy, I have often spoken in the Dáil on various issues when the opposition benches were empty. It happens on many occasions. Ultimately, the Opposition has as much of an obligation as the Government to ensure the Chamber functions. In fairness, many government backbenchers make very constructive contributions, sometimes saying what the Opposition would agree with. However, it is very difficult for a government backbencher to look across the floor and see more than 80 empty seats, without even a front bench spokesperson or even deputy spokesperson from either Fianna Fáil, Sinn Féin or the Technical Group present.

Today is an exception, probably because we are talking about money in the Houses of the Oireachtas Commission (Amendment) Bill. It has sparked a great deal of interest in many different groups. Suddenly, receipts are being requested. It is disappointing that so many Members chirp a great deal about how effective are the Government, Oireachtas and Dáil, yet they nearly take the doors off their hinges to get out of here on a Monday or Friday. It is up to them to organise their business and ensure their benches are manned.

As Deputy Feighan said, the Houses of the Oireachtas Commission has made savings in the time since he became a Member. However, I am not aware of any other parliament in the world that has a political party that is represented in two sovereign parliaments and takes a totally different approach in the two parliaments under the same flag of convenience. Sinn Féin Members talk about so-and-so getting this and so-and-so getting that and declare it is absolutely

desperate. They complain about the cost of Ministers, chairmen and this and that. However, at least in this Parliament the party's Members turn up to work, whereas in the other sovereign parliament in which Sinn Féin has representation its members do not turn up at all. The cost of their non-participation in that parliament in 2011 was €697,000.

Acting Chairman (Deputy Robert Troy): The Deputy is wandering from the content of the Bill.

Deputy Patrick O'Donovan: I am referring to remarks made earlier that were unchallenged. I believe I have a right of reply.

I do not know of any other country in the world, with the possible exception of North Korea, where people turn up when they feel like it and draw money from it, yet do not participate in any meaningful way. To be honest, it smacks of hypocrisy to talk here about the cost of governance, the cost of the Houses of the Oireachtas Commission and of everything else while at the same time there are five Members of the Westminster Parliament in receipt of €697,000 from Her Majesty's treasury and there is not a gig from them. By the same token, if Members of the House consider themselves overpaid, there is nothing preventing them from going to the Paymaster General and asking for their pay to be reduced. However, I have not heard any Member from Sinn Féin or any other Member offering to do that.

Earlier contributors to the debate referred to the cost of running political parties as opposed to the cost of being an Independent. The electorate expects political parties to run the country. It does not expect it to be possible to cobble together a government from a group of Independents because it probably would not last very long. By virtue of the fact that there is a Standards in Public Office Commission, regulations regarding fund-raising and maximum limits for donations, the cost of running political parties is quite high. It is expensive because of the demands made of all of us as politicians. As a result, the leader's allowance for political parties is different from the leader's allowance for Independents.

As I said in the House on several occasions before the budget, it is immoral that there are Members of this House in receipt of a leader's allowance without producing a single receipt. It is essentially an extra payment of €43,000 into the Member's pocket. I am glad the Minister for Public Expenditure and Reform has made an effort to try to address that, but more must be done. It is an oxymoron. One cannot be a leader of oneself. One is either an Independent or a member of a political party. If the Technical Group is going to vote, speak, kick out members, hold parliamentary party meetings and elect leaders as a party, that means it is a political party. It is a farce at present. On the one hand, people are pretending they are Independents, but on the other, they are behaving as a political party by kicking out people and bringing them in as they see fit, setting rules, holding meetings and appointing whips. It flies in the face of what it means to be an Independent.

Deputy Mary Lou McDonald: Shame on you. That is outrageous.

2 o'clock

Deputy Patrick O'Donovan: True Independents are those who have absented themselves from that farce that we call a Technical Group because one is either an Independent or a party but there is a group of Members in the House who want their cake and eat it. When someone stands up to speak the truth, it hurts. I do not know any other Parliament where a group of people with nothing in common from the extreme right to the extreme left and everything in

between----

Deputy Mary Lou McDonald: It is a bit like the Government.

Deputy Patrick O'Donovan: -----and they take a big ball of money to call themselves a Technical Group. They speak, vote and are whipped as one.

Deputy Catherine Murphy: That is not the case. The Deputy does not have a clue.

Deputy Patrick O'Donovan: In most people's estimation, that is a political party. They should do the decent thing and call themselves a party. I am glad the Chief Whip is present. The Standing Orders should reflect what people look for. If people are elected as Independents, they should be forced into behaving as Independents and they should not be paid as a party.

Deputy Maureen O'Sullivan: On a point of order, is this relevant to what we are discussing?

Acting Chairman (Deputy Ann Phelan): Yes.

Deputy Patrick O'Donovan: As I have pointed out to the Chief Whip previously, Government backbenchers get the same amount of speaking time in the Chamber as Technical Group members. Fine Gael and Labour Party have 70 backbenchers and we are treated the same in the context of speaking time as a group that have cobbled together an arrangement and called themselves a Technical Group.

Deputy Catherine Murphy: The Constitution does not recognise political parties. The Constitution recognises our mandate.

Deputy Patrick O'Donovan: No one interrupted the Deputy. This is unfair. After Christmas, as part of the move for political reform, the Oireachtas should reflect its representation in its speaking rights.

Deputy Catherine Murphy: We should call it a dictatorship.

Deputy Patrick O'Donovan: It should be more representative of the people in terms of the make up of the House and the representation within the House. It is unfair that Government backbenchers are entitled to the same speaking time as a group that has been cobbled together. That is not right and I ask the Chief Whip to take it on board.

With regard to the Bill, I compliment the staff of the Houses. The previous speaker made good points about the work that is done, the school tours and so on but much more could be done to take the message of the Oireachtas to the people and to encourage them to visit.

I welcome the Bill. Every now and then, it is no harm to inject a little truth into debate in this Chamber. When some people hear the truth, they get a little rattled and they start roaring and shouting. That is their entitlement but, at the end of the day, when we discuss the cost of running this House and the cost of politics, we need to be fair to everybody - political parties, those outside them and those that are a political group but pretend they are not one.

Deputy Simon Harris: Even in the trenches during the world wars, peace broke out over Christmas and, therefore, I will attempt to leave my colleague's comments to one side. I would like to comment on political reform and while the Bill is focused on the cost of running a Parliament, there is a cost associated with democracy and with having democratic institutions. My

constituents, and I presume those of other Member, want to know how effective we are and what they are getting in return. I am pleased the Government Chief Whip is present and I hope he will take note of a number of my suggestions about the running of the Oireachtas.

Both Houses are sitting more frequently, which is welcome. An additional sitting is a metric of the work, debate and legislation being dealt with. The Friday sittings, which provide back-bench Government Members who never previously had a mechanism to table legislation, put it up to us to be legislators. During the next election campaign, which I hope is far away, we can knock on the doors of constituents and be measured on what we did in bringing forward legislative proposals. We have an opportunity to draft a Bill to, for example, change a law and we can answer the question about what we did. That is an important change. We also have an opportunity to preview legislation with the heads of Bills sent to committee before the legislation is fleshed out, which is positive. However, I am a member of both the Joint Committee on Finance, Public Expenditure and Reform and the Committee of Public Accounts, as is Deputy McDonald. Earlier both committees, which were dealing with important topics, were sitting at the same time. We can learn from other parliaments where a period of time, be it days or weeks, is assigned to committee business. In my brief time in the House, I have learned that most of the effective work is done by committees, where there is less partisanship and greater scrutiny of proposals. We must examine how committees are timetabled.

Another issue that needs to be considered is the empowerment of committees in the context of their work programmes. I am not a great believer in the ideology of everybody having a free vote on every issue but when committees are not dealing with legislative proposals, members should not have to divide along party lines and it has been disappointing when that has happened on a number of occasions in this Dáil.

Deputy Dooley referred to topical debates and Topical Issue Matters has been a great addition to the House. They have helped Members but the House is still a little too rehearsed and staid at times. We need to look at the House of Commons, if Members do not mind me referring to it following the previous contribution, where every MP has the opportunity to raise issues with the Prime Minister of the day on a regular basis. That needs to be considered as well. We do not just need Punch and Judy politics, which some Members criticise but then engage in themselves. where our constituents when they look at their television screens wonder whether this is what goes on in the Dáil.

As we approach another recess, we need to examine how we timetable recesses. The European Parliament provides for a constituency weeks. One of the great challenges I face is finding the thinking and reading time needed to do my job effectively, particularly in the context of committee work. We can run around Leinster House being busy and go from morning to night but the opportunity to have time and space to plan and to, for example, work on parliamentary questions and be good legislators and contribute well is limited. The European Parliament model, albeit it is in place for a slightly different reason, of having designated time to scrutinise and think where members are not holidays needs to be considered. The parliament's procedure whereby votes are held at a certain time of the day or week is also good. Sometimes members have to get up in the middle of a committee meeting and witnesses are left sitting in the room waiting for ages and this is an ineffective use of time. We need to have votes and it is the right of members to call them. It is an important part of our work but we should examine grouping them if we are honest about spending our time effectively in the House. Deputy Dooley also referred to the cost overruns when votes run late into the night and so on.

Great work has been done by the House of the Oireachtas Commission led by the Ceann Comhairle on the broadcasting of proceedings. The House is becoming much more accessible through the new television channel and the Internet and even through the displaying of Members' expenses on a monthly basis on the website. It is unfortunate that *www.kildarestreet.com*, a website that has done great work on transparency and tracking the performance of Members, including the number of parliamentary questions constituency rival, for example, they have tabled, is having difficulty due to changes in how the Oireachtas processes its information. Will the Chief Whip and the commission examine how we can facilitate that website to continue its work?

I am a member, along with Deputy O'Sullivan, of a cross-party group concerned with mental health. This group has representatives of every political grouping in the House and it does solid work. While we know we are coming at the issue from different perspectives and there will be debates in which we will take different sides as political needs must, we have come together to park the party politics and move the issue forward in a broad sense. Other parliaments have a great tradition of cross-party groups. Outside the formal Oireachtas structures, we are not great in this regard but it should be considered. I do not know whether Members need to get on and do this ourselves or whether we need to examine this through formal Oireachtas processes but it would be useful to have cross-party groups to examine different sectoral or societal interests. They do not need to be formal legislative committees.

The final issue I would like to raise, on which I have corresponded with the Ceann Comhairle previously, relates to the opening up of Parliament. Members of the public can queue outside the Westminster Parliament and gain access to the building. It is regrettable that if my constituents want to access this building at short notice, they need me or another Member to sign them in, or to go through a booking process. I have corresponded with the Ceann Comhairle and with officials of the House on this matter and I got a comprehensive answer. I understand about staffing, security and all that sort of stuff. This is something that needs to be looked at. I have often seen people come up to the reception area in Kildare Street and ask how they can come in. That is a bad physical barrier to have but it is not something we will rectify today or tomorrow.

The tours of the House are superb. Any group I have brought in have gone away massively impressed with the depth of knowledge of the staff of the House and the courtesy they extend to visitors. That is something I value, as a Member of the House. It is, however, regrettable that, because of the economic situation, there is no longer the possibility of evening tours. A significant catchment of our constituents would like to see the House and watch it in action but cannot do so during the day.

I place these as my general thoughts on the issue. We are discussing issues of cost. We all need to be cost conscious and make savings in the cost of our institutions. We do that in the Bill and we did so in the budget. We also need to ask what we are getting for the money. We must not simply debate the number of euro spent but also whether we are getting value for money and a "bang for our buck". These are my suggestions, for what they are worth.

Minister of State at the Department of Health (Deputy Alex White): This has been an interesting discussion. As colleagues acknowledged, the Bill is of a technical nature and, although important, is limited in scope. Many of the issues raised in the course of the debate are, of course, worthy of public debate and elaboration and Members, in their normal ingenious way, have taken the opportunity afforded them by this relatively limited Bill to engage in that broader debate. It is appropriate that we have a constant engagement on the question of reform

of the manner in which the Houses do their business and on the broader reform agenda which the Government is pursuing in an impressive manner, from constitutional reform through the convention to matters such as reform of freedom of information legislation, the lobbying regime, election funding and so forth. Other instruments are being considered in various legislation. Considerable reform is proceeding all the time.

The Bill, however, is limited. I do not criticise any of my colleagues, far be it from me to do that, when I say I am struck by how little reference was made in the course of the debate to the contents of the Bill itself. The Bill, if passed, will ensure that the Houses of the Oireachtas Commission can continue with its work and will have funding to do so.

Deputy John Paul Phelan dealt quite well with Deputy Seán Fleming's opening remarks. Deputy Fleming reminded us that this is the eve of Christmas and said there was a sense in which things were being rushed through. Deputy McDonald used the expression "sneaking through", if I am not mistaken. One or two other people said the same. This is a working day in the Houses of the Oireachtas. We are working today, doing the people's business until eight o'clock tonight. There is nothing sneaky about any of the business we do, today or any other day. This is just as important a day of work as any other. The notion that the Bill's being debated on the last day of the session constitutes sneaky behaviour on the part of the Government or anyone else is nonsensical. The media and everyone else have the same gaze and visibility on what we do in the Houses until business closes this evening. I reject out of hand any suggestion that because the Bill is being taken on the last day of the session it is being pushed through in a manner that is sneaky or seeks to avoid the public gaze or scrutiny. That is not the case.

The amounts of money to be dedicated to the Houses of the Oireachtas, and contained in the Bill, have been known since last October. The Estimate was presented in October of this year following detailed consideration by the Minister for Public Expenditure and Reform and the Houses of the Oireachtas Commission. There is no lack of clarity or transparency in the process or the sums of money involved. I reject any suggestion otherwise.

Deputy Phelan also made the point that the decisions made in the budget are of relevance. The alterations and adjustments made in the Budget Statement are of relevance to this and they came only two weeks ago. There is pressure of legislative business. The Personal Insolvency Bill, for example, was passed by the Houses last night. A great deal of legislation is going through the Houses. Members will recognise that. Much of the legislation is troika related and must be dealt with. It is being dealt with, if I may say so in the presence of the Chief Whip, in an expeditious and efficient fashion by all concerned, including the staff of the Houses and of Departments, who have a huge amount of work to do on legislation across the board.

I said many of the issues raised are not strictly relevant to the Bill and if I were consistent I would remember that and not respond to them. I think I can, however, have some indulgence for a couple of minutes and refer briefly to a couple of the points made. There is a reform agenda and the Government is pursuing it vigorously. Deputy Maureen O'Sullivan and others raised the importance of committees and difficulties regarding the passage of business and the efficiency of committees. We should constantly address our minds to this. I was chair of a committee prior to my current appointment and I believe strongly in the committee system. It can work, has been seen to work and can be made work. This involves the co-operation and support, not only of the Government but of all members so that committees work in the methodical efficient way they are designed to do. We have seen progress in that regard. When people work together in a committee type environment we can make huge progress in dealing with legisla-

tion and with other issues.

We now have a system of pre-legislative scrutiny. Before a Bill is published there can be pre-legislative discussion in a committee. I was privileged to be involved in some of that work in the Joint Committee on Finance, Public Expenditure and Reform on credit union legislation, whistleblower legislation and so on. This is happening at present. I understand the Joint Committee on Finance, Public Expenditure and Reform has been examining the proposals by the Minister for Public Expenditure and Reform for legislation on committee inquiries. The preparation of legislation to allow for the holding of inquiries by committees has been already approved by Government. These will be general inquiries will not be confined to banking. The committee is having an opportunity to deal with that prior to the legislation even being finalised by the Minister. That is an important advance. There is a feeling that once legislation is published there is a sense of finality about it and a reluctance to change it. Here is an opportunity for genuine engagement by parliamentarians before legislation even reaches the publication stage. That is important and progressive.

Deputy Phelan pointed out that Deputy Fleming was very enthusiastic for there to be an announcement on the referendum to abolish the Seanad. I was taken aback at how enthusiastic he was for that. Taoiseach has indicated the matter will be addressed in the latter part of 2013. It should, however, be emphasised that the people own the Constitution and own the Houses of the Oireachtas and it is a matter for them to decide if the Seanad is abolished, not for the Government, the Dáil or the Seanad. It is a matter for the people and that is as it should be.

Deputy Dooley made the rhetorical point that if there was a referendum next week to abolish the Dáil, it would succeed. We can laugh at that prospect but there is a serious issue at its heart. This is a parliamentary democracy, a country that is free to determine who its representatives are. People can vote us in and vote us out. Sometimes we must remind ourselves how important it is to defend that. We should defend the integrity of this Parliament. Deputy Maureen O'Sullivan pointed out in her contribution that it costs money to run a parliamentary democracy; it cannot be done without funding. There can be legitimate queries about how much politicians should be paid or what their expenses should be, and if they should be vouched, as I always thought they should. All of those issues have been raised by Deputies but we must not lose track of the fundamental point, that we live in a parliamentary democracy and should have the confidence as Members of the Oireachtas to defend that and defend the necessity to fund it.

The issue of specifics of allowances and expenses are not germane to the issues in this debate but I have no objection to Members being critical of this or that allowance. Sometimes, however, that debate can degenerate, as it was in danger of doing in the course of this debate, to the hacking away at the allowances and salary issues that risks encouraging resentment and cynicism about the whole process of politics and parliamentary democracy. By all means, Deputies can raise specific issues and it makes for excellent copy to hack away at the issue but I ask colleagues to have regard to the importance of defending the integrity of the work we doing here, the people's business, and the fact it costs money, not just to pay our salaries but those of the people who work for us and who work in this building. They do a very important job for the State.

I have already said there was detailed discussion of the specifics of the budget between the commission and the Minister. I will, however, put the envisaged expenditure for 2012 on the record. The major elements of the €116 million are €24 million for the salary costs for the Houses of the Oireachtas service; €21 million for salary costs for Members of both Houses and MEPs;

€11 million for travel expenses and allowances for Members; €21 million in respect of salaries of secretarial assistants for Members; and €15 million for pensions for former Members of the Houses, a total of €92 million. The remaining annual allocation of €24 million consists mainly of general administration expenses of €17 million for travel, subsistence, postal and telecommunications, office machinery, premises and expenses, payments in respect of the bar and catering staff amounting to €2 million and €3 million for the televising of Oireachtas proceedings, an important item of expenditure in the context of the imperative that the work in these Houses is communicated properly and fully to the public, whose business we are doing here.

There is one issue that I would like to address on the efficiency of individual Members. This is a personal bugbear of mine that has arisen in the context of the controversy about iPads. I have been a Member of both Houses and I am struck by the sheer volume of paper we carry around with us, Bills and so on. When discussing an amending Bill, like this one, how many Members would have the principal Act available to them? I had to ask the officials to get a look at it. Normally the amending Bill is issued to a Member, and that outlines what is being amended. Very often, it would be good to see the principal Act to see where it fits in. Some people are very assiduous and get that from the Oireachtas Library but most of us do not have the time to do that. How much better would it be if people had an iPad and could use it to quickly find legislation, including the principal Act that is the background to the Bill being debated, and could even access commentary on some aspects of the legislation being debated? Sometimes we lose sight of what we can achieve through efficiencies, doing our jobs better. That is then cloaked by the notion of Deputies being given a free iPad, as if it was something they would find under the Christmas tree for their delectation and enjoyment. We never deal with this issue seriously because it makes great copy to talk about these things as if they are being thrown around for free. There are very few people who would come in here thinking they would get freebies in the way this has been characterised. That is a small matter but it is of importance. We should take our business in here more seriously as politicians on all sides.

I thank colleagues for their contributions. This is important legislation and it deserves the support of the House.

Question put:

The Dáil divided: Tá, 83; Níl, 42.	
Tá	Níl
Bannon, James.	Adams, Gerry.
Breen, Pat.	Boyd Barrett, Richard.
Broughan, Thomas P.	Calleary, Dara.
Bruton, Richard.	Collins, Joan.
Burton, Joan.	Colreavy, Michael.
Butler, Ray.	Cowen, Barry.
Buttimer, Jerry.	Crowe, Seán.
Byrne, Catherine.	Daly, Clare.
Byrne, Eric.	Doherty, Pearse.
Carey, Joe.	Donnelly, Stephen S.
Coffey, Paudie.	Ferris, Martin.
Conaghan, Michael.	Flanagan, Luke 'Ming'.

Dáil Éireann

Conlan, Seán.	Fleming, Sean.
Connaughton, Paul J.	Halligan, John.
Conway, Ciara.	Healy, Seamus.
Coonan, Noel.	Healy-Rae, Michael.
Costello, Joe.	Higgins, Joe.
Coveney, Simon.	Kelleher, Billy.
Creed, Michael.	Kirk, Seamus.
Deenihan, Jimmy.	Kitt, Michael P.
Deering, Pat.	Mac Lochlainn, Pádraig.
Doherty, Regina.	McConalogue, Charlie.
Dowds, Robert.	McDonald, Mary Lou.
Doyle, Andrew.	McGrath, Finian.
Durkan, Bernard J.	McGrath, Mattie.
English, Damien.	McGuinness, John.
Farrell, Alan.	McLellan, Sandra.
Feighan, Frank.	Murphy, Catherine.
Fitzgerald, Frances.	Ó Caoláin, Caoimhghín.
Fitzpatrick, Peter.	Ó Cuív, Éamon.
Flanagan, Charles.	Ó Fearghaíl, Seán.
Flanagan, Terence.	Ó Snodaigh, Aengus.
Griffin, Brendan.	O'Brien, Jonathan.
Harrington, Noel.	O'Dea, Willie.
Harris, Simon.	O'Sullivan, Maureen.
Hayes, Brian.	Pringle, Thomas.
Heydon, Martin.	Ross, Shane.
Hogan, Phil.	Shortall, Róisín.
Howlin, Brendan.	Smith, Brendan.
Humphreys, Heather.	Stanley, Brian.
Humphreys, Kevin.	Troy, Robert.
Keating, Derek.	Wallace, Mick.
Kehoe, Paul.	
Kelly, Alan.	
Kenny, Seán.	
Kyne, Seán.	
Lawlor, Anthony.	
Lynch, Ciarán.	
Lynch, Kathleen.	
Lyons, John.	
McCarthy, Michael.	
McGinley, Dinny.	
McHugh, Joe.	
McLoughlin, Tony.	

20 December 2012

McNamara, Michael.	
Mathews, Peter.	
Mitchell O'Connor, Mary.	
Mulherin, Michelle.	
Murphy, Dara.	
Murphy, Eoghan.	
Nash, Gerald.	
Naughten, Denis.	
O'Donnell, Kieran.	
O'Donovan, Patrick.	
O'Dowd, Fergus.	
O'Mahony, John.	
O'Sullivan, Jan.	
Penrose, Willie.	
Phelan, Ann.	
Phelan, John Paul.	
Quinn, Ruairí.	
Reilly, James.	
Ryan, Brendan.	
Shatter, Alan.	
Sherlock, Sean.	
Spring, Arthur.	
Stagg, Emmet.	
Stanton, David.	
Tuffy, Joanna.	
Twomey, Liam.	
Wall, Jack.	
Walsh, Brian.	
White, Alex.	

Tellers: Tá, Deputies Emmet Stagg and Paul Kehoe; Níl, Deputies Catherine Murphy and Mary Lou McDonald.

Question declared carried.

Houses of the Oireachtas Commission (Amendment)(No. 2) Bill 2012 [Seanad]: Committee and Remaining Stages

Sections 1 and 2 agreed to.

SECTION 3

An Ceann Comhairle: Amendments Nos. 1 to 6, inclusive are out of order.

Amendments Nos. 1 to 6, not moved.

Section 3 agreed to.

SECTION 4

An Ceann Comhairle: Amendment No. 7 is out of order.

Amendment No. 7 not moved.

Section 4 agreed to.

Section 5 agreed to.

Title agreed to.

Bill reported without amendment and received for final consideration.

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

The Dáil divided by electronic means.

Deputy Aengus Ó Snodaigh: As a teller, under Standing Order 69 I propose that the vote be taken by other than electronic means.

An Ceann Comhairle: As Deputy Aengus Ó Snodaigh is a Whip, under Standing Order 69 he is entitled to call a vote through the lobby.

Question again put: “That the Bill do now pass.”

The Dáil divided: Tá, 85; Níl, 42.	
Tá	Níl
Bannon, James.	Adams, Gerry.
Breen, Pat.	Boyd Barrett, Richard.
Broughan, Thomas P.	Calleary, Dara.
Bruton, Richard.	Collins, Joan.
Burton, Joan.	Colreavy, Michael.
Butler, Ray.	Cowen, Barry.
Buttimer, Jerry.	Crowe, Seán.
Byrne, Catherine.	Daly, Clare.
Byrne, Eric.	Doherty, Pearse.
Carey, Joe.	Donnelly, Stephen S.
Coffey, Paudie.	Ferris, Martin.
Collins, Áine.	Flanagan, Luke ‘Ming’.
Conaghan, Michael.	Fleming, Sean.

Conlan, Seán.	Halligan, John.
Connaughton, Paul J.	Healy, Seamus.
Conway, Ciara.	Healy-Rae, Michael.
Coonan, Noel.	Higgins, Joe.
Costello, Joe.	Kelleher, Billy.
Coveney, Simon.	Kirk, Seamus.
Creed, Michael.	Kitt, Michael P.
Deenihan, Jimmy.	Mac Lochlainn, Pádraig.
Deering, Pat.	McConalogue, Charlie.
Doherty, Regina.	McDonald, Mary Lou.
Donohoe, Paschal.	McGrath, Finian.
Dowds, Robert.	McGrath, Mattie.
Doyle, Andrew.	McGuinness, John.
Durkan, Bernard J.	McLellan, Sandra.
English, Damien.	Murphy, Catherine.
Farrell, Alan.	Ó Caoláin, Caoimhghín.
Feighan, Frank.	Ó Cuív, Éamon.
Fitzgerald, Frances.	Ó Fearghaíl, Seán.
Fitzpatrick, Peter.	Ó Snodaigh, Aengus.
Flanagan, Charles.	O'Brien, Jonathan.
Flanagan, Terence.	O'Dea, Willie.
Griffin, Brendan.	O'Sullivan, Maureen.
Harrington, Noel.	Pringle, Thomas.
Harris, Simon.	Ross, Shane.
Hayes, Brian.	Shortall, Róisín.
Heydon, Martin.	Smith, Brendan.
Hogan, Phil.	Stanley, Brian.
Howlin, Brendan.	Troy, Robert.
Humphreys, Heather.	Wallace, Mick.
Humphreys, Kevin.	
Keating, Derek.	
Kehoe, Paul.	
Kelly, Alan.	
Kenny, Seán.	
Kyne, Seán.	
Lawlor, Anthony.	
Lynch, Ciarán.	
Lynch, Kathleen.	
Lyons, John.	
McCarthy, Michael.	
McGinley, Dinny.	
McHugh, Joe.	

Dáil Éireann

McLoughlin, Tony.	
McNamara, Michael.	
Mathews, Peter.	
Mitchell O'Connor, Mary.	
Mulherin, Michelle.	
Murphy, Dara.	
Murphy, Eoghan.	
Nash, Gerald.	
Naughten, Denis.	
O'Donnell, Kieran.	
O'Donovan, Patrick.	
O'Dowd, Fergus.	
O'Mahony, John.	
O'Sullivan, Jan.	
Penrose, Willie.	
Phelan, Ann.	
Phelan, John Paul.	
Reilly, James.	
Ryan, Brendan.	
Shatter, Alan.	
Sherlock, Sean.	
Spring, Arthur.	
Stagg, Emmet.	
Stanton, David.	
Timmins, Billy.	
Tuffy, Joanna.	
Twomey, Liam.	
Wall, Jack.	
Walsh, Brian.	
White, Alex.	

Tellers: Tá, Deputies Paul Kehoe and Emmet Stagg; Níl, Deputies Aengus Ó Snodaigh and Catherine Murphy.

Question again declared carried.

3 o'clock

Civil Defence Bill 2012 [Seanad]: Report and Final Stages

An Ceann Comhairle: Amendments Nos. 1 and 2 are related and will be discussed together.

Deputy Pádraig Mac Lochlainn: I move amendment No. 1:

In page 7, between lines 6 and 7, to insert the following:

“11.—(1) A Civil Defence Expert Advisory Panel shall be established which will have the following function of advising the Minister in relation to all or any of the following:

(a) such policy matters relating to the operation and future development of civil defence as the Minister may request or as the Panel considers appropriate;

(b) the implementation of measures considered necessary for the effective operation of civil defence;

(c) any other matter relating to the Panel’s functions as the Panel considers appropriate or as requested by the Minister.

(2) The Panel shall consist of at least 8 but not more than 14 members who shall be appointed by the Minister.

(3) The members of the Panel shall be—

(a) the secretary general of the Department,

(b) a person nominated by the County and City Managers Association,

(c) a person nominated by the Minister for the Environment, Community and Local Government who, in the opinion of that Minister, has relevant experience or expertise relating to emergency planning,

(d) a person nominated by the Radiological Protection Institute of Ireland,

(e) a person nominated by the Environmental Protection Agency,

(f) a member of the Civil Defence Officers Association nominated by it,

(g) an officer of the Defence Forces nominated by the Chief of Staff of the Defence Forces,

(h) a member of the Garda Síochána nominated by the Commissioner of the Garda Síochána, and

(i) a volunteer member of civil defence.

(4) In making appointments to the Panel under this section, the Minister shall ensure that not less than 4 of the members of the Panel shall be women and not less than 4 shall be men.

(5) The Civil Defence Expert Advisory Panel shall meet on a biannual basis.

(6) The Minister shall ensure that no cost is placed on the Exchequer in establishing this Expert Panel.”.

As the Minister of State knows from Committee Stage, amendment No. 1 was ruled out of order because it would have incurred a cost to the Exchequer. We have amended it so that none of the representatives of the various organisations listed would be paid for their services. They would represent the organisations in partnership. The reason we have tabled the amendment is because while overall we do not have any particular objection to the existing board being closed down and brought back under the aegis of the Department of Defence, as it was previously, we have some concerns. The first of these is that within the existing board is a range of expertise, including the County and City Managers Association, representing local authorities throughout the State which administer Civil Defence and ensure the necessary personnel are on the ground and fully trained and able to respond to an emergency; the Radiological Protection Institute of Ireland, which is also emergency related; the Environmental Protection Agency; representatives of Civil Defence officers; the Defence Forces; and the Garda Síochána. It is key that within the new arrangements in the Department of Defence there is a dedicated structure which retains all of this expertise and analyses the overall Civil Defence plan to ensure it is fit for purpose.

The other amendment I have tabled deals with resources. In the existing criteria every local authority must put together a plan which it submits to the Civil Defence board in which the local authority outlines its priorities and strategies. A funding allocation is then made to the local authority. The difficulty now is that there does not appear to be within the Bill any clear criteria for how the Minister would deploy his or her resources. I appreciate it is made clear in the Bill that €70,000, which is not a huge sum of money, is being saved by this. No cut is being made to the budget.

The difficulty in this area is that there are a lot of cutbacks to local authorities, including huge changes to their budgets and consequently how they operate. It is very important that on an ongoing basis resources are there for training and re-training to deal with new techniques, equipment and health and safety processes. We want to ensure that all the strengths continue in operation. All of us are immensely proud of the work done by the Civil Defence teams. In the bad winter, from late 2010 to early 2011, County Donegal had freezing conditions for a sustained period of two months, as did the rest of the country. I was the chairperson of the roads and transport committee on Donegal County Council at the time. It was a case of putting all shoulders to the wheel, including the farming organisations. The Defence Forces were called out to inaccessible places and it was a remarkable team effort in which the Civil Defence played a key role. I am sure the Minister of State could cite as many such stories also, and he has been longer in politics than I have. We must continue to resource and value the professionalism and dedication of these local men and women. We need to continue availing of their range of skills.

Apart from that, we do not have any difficulties with the principle of the Bill.

Deputy Seán Ó Feargháil: I will be brief. Like Deputy Mac Lochlainn, I acknowledge the high standing of the Civil Defence organisation and its personnel across the country who do wonderful work. My amendment seeks to ensure that the external contacts that have been used to the benefit of the Civil Defence will continue in the new scenario.

Minister of State at the Department of Defence(Deputy Paul Kehoe): I thank both Deputies for their contributions. I will deal first with amendment No. 1 from Deputy Mac Lochlainn. I do not propose to accept this amendment. It is not intended to put the forum on a

statutory basis as I do not want to abolish one body and simply create another, thereby diluting the Government's policy of reducing the number of State agencies and boards. That policy is proposed in the programme for Government. I can assure the Deputy that the Civil Defence will still operate in the same manner as it has previously. Even before the Bill was published, I indicated that it was my intention after the dissolution of the board to establish a forum to harness the collective focus of the key stakeholders in the wider field of emergency planning for the benefit of the Civil Defence and the branch of my Department which will be charged with the future management and development of the organisation at national level.

It is also intended that the civil defence forum will be a non-statutory consultative body, which will be as flexible as possible in its operations and will be able to consult widely as required. The majority of the parties listed in the proposed amendment will be represented on the forum.

There will further scope for the remainder and, indeed, other statutory and non-statutory bodies to be included where matters of particular interest are being discussed. It is important for the forum to retain the maximum level of flexibility in its operations and I am therefore strongly of the view that it would be hampered by having specific provisions relating to its composition enshrined in the legislation. I hope the Deputy understands where I am coming from on that.

The purpose of the forum will be to provide advice as required and to provide a structure for stakeholders to interact with the Civil Defence branch within the Department. The forum is intended to operate at a strategic level on defence matters and wider developments in the area of emergency response and other issues that might impact on civil defence.

Membership of the forum will comprise nominated representative bodies such as the Department of the Environment, Community and Local Government, An Garda Síochána, the HSE, the City and County Managers Association, the Civil Defence Officers' Association, and a representative from the Civil Defence volunteer body. That encompasses everyone involved in the civil defence movement to represent the views of everybody on the board. I hope the Deputy will acknowledge the reasons why I am not accepting his amendment on this occasion.

I also do not propose to accept amendment No. 2, in the name of Deputy Ó Feargháil. Section 12 allows for the Minister to determine the format and content of a civil defence plan submitted by a local authority for consideration. Nothing in this section or in the Bill precludes the Minister, if he or she considers it necessary, from consulting with external bodies or agencies both before and after plans are submitted by local authorities. We all understand the importance of a civil defence plan, as Deputy Ó Feargháil has outlined. The civil defence plan submitted by a local authority will already have been approved by the relevant city and county manager. The civil defence officer will have been part of the management team that prepared the plan at local level.

A civil defence plan will be unique to each individual authority. The provisions of the Bill, which are similar to those in the 2002 Act, will allow for further consultation with authorities on their plans, if considered necessary.

One of the purposes of the Bill for the civil defence branch of the Department is to get back to devoting more resources to deal with the real business of civil defence which is emergency preparedness and the development and implementation of training programmes for volunteers,

so that the organisation can deliver effective support to the front-line emergency services and continue with its community support activities. As a small stand-alone State body, the board was constrained by the same level of governance that related to obligations as would be required of a much larger organisation. As a part of a Department that burden will be considerably reduced, thereby allowing more time for strengthening the network and the relationship with stakeholders such as local authorities that the Civil Defence has developed at national level over the years, and also with other key players in the wider area of emergency planning.

Both Deputies have outlined the importance of the Civil Defence. I can assure them that the Department will operate with the same vigour as the board did to ensure that the Civil Defence runs a smooth operation as well as highlighting the importance of civil defence in every village, town and city across the country.

Deputy Seán Ó Fearghail: I accept the Minister of State's good faith in this matter. I am concerned, however, that in the establishment of the forum it has been decided not to include the Radiological Protection Institute of Ireland. It is not included in the list the Minister of State read out to us.

The Civil Defence has benefitted from the external inputs that have come from the variety of agencies that were previously involved in the board, so why drop the Radiological Protection Institute of Ireland? Why not have it as part of the forum?

If, in putting his proposals together, the Minister of State could drop the Radiological Protection Institute of Ireland, we would be concerned that were there not a greater onus on the Minister, he might not consult as widely in respect of the civil defence plans that are so important on a county by county basis.

Deputy Paul Kehoe: The body to which the Deputy refers will be represented by the Department of the Environment, Community and Local Government. That means that if the forum requires further expertise or advice, any such bodies can be invited to give advice on such occasions if required. I understand the importance of the Deputy's point, but the board must be workable in terms of civil defence. The Department of the Environment, Community and Local Government will represent the views of that organisation. If required, the forum will invite any such bodies in for their expertise or advice.

An Ceann Comhairle: Is amendment No. 1 being pressed?

Deputy Pádraig Mac Lochlainn: Yes.

Amendment put and declared lost.

Deputy Seán Ó Fearghail: I move amendment No. 2:

In page 7, between lines 32 and 33, to insert the following:

“(4) The Minister shall consider the adequacy or otherwise of a civil defence plan and/or a revised civil defence plan so as to ensure, as far as is practicable, that such plan meets with the criteria as set out in *subsection (3)* and in considering same, the Minister will consult with any or all of the following:

(a) the Minister for the Environment, Community and Local Government;

20 December 2012

(b) the Radiological Protection Institute of Ireland;

(c) Environmental Protection Agency;

(d) Civil Defence Officers Association;

(e) an Garda Síochána.”.

An Ceann Comhairle: Is amendment No. 2 being pressed?

Deputy Seán Ó Fearghail: Yes.

Amendment put and declared lost.

Deputy Pádraig Mac Lochlainn: I move amendment No. 3:

In page 7, after line 43, to insert the following:

“13.—The Minister shall ensure that each local authority is resourced accordingly in order to fulfil its civil defence plans as set out in *section 12*.”.

While I spoke to this amendment earlier, I will reiterate that it concerns the issue of resources about which I seek some reassurance. To repeat the point, if one considers the existing framework, the Civil Defence Board has a set of criteria whereby on receiving a plan from a local authority, the resources are then allocated. Such criteria no longer appear to be in place for the Minister and the Department. I am a little concerned that in the years to come, this may provide freedom to wind down the resources for the Civil Defence and consequently I seek reassurance that, in particular, this new arrangement will mean that local authorities and Civil Defence members will continue to have the necessary resources for training.

Deputy Paul Kehoe: First, I do not propose to accept this amendment. However, I assure the Deputy that for as long as I remain a Minister of State in the Department of Defence and in so far as the national finances can allow, the Civil Defence will be funded in the same manner as it has been to date. I understand the importance of the Deputy’s point in this regard. He will understand that while the funding from the local authorities primarily is a matter for the Department of the Environment, Community and Local Government, to encourage local authorities to meet their obligations in respect of Civil Defence, my Department provides a grant aid to each authority amounting to 70% of approved expenditure each year on Civil Defence activities within its area. In addition, other supports, such as centralised training, policy advice and provision of major items of specialised equipment for authorities are 100% funded by my Department. As I stated previously, the level of funding for the Civil Defence has remained at €5.58 million per annum at a time of major cuts in other areas. One of my priorities in fighting my corner is to make sure that funding is retained in the future.

Amendment put and declared lost.

Deputy Seán Ó Fearghail: I move amendment No. 4:

In page 9, between lines 29 and 30, to insert the following:

“(d) the Mayor or Cathaoirleach of the local authority concerned.”.

This is a matter on which Members had a brief discussion on Committee Stage and pertains

to the register of membership of the Civil Defence in each local authority jurisdiction. The information kept on the register is basic information relating to the member such as name, address, date of birth and so on. The Bill also provides that the county manager or his or her nominee or the Minister or his or her nominee may have access to that register. In a situation in which the Civil Defence plan and the force is at least part-funded by the local authority through the Estimates process, which must be voted through by the elected members, it would be appropriate that at least the cathaoirleach or mayor of the local authority concerned would have the opportunity to inspect that register in the rare event that it should be necessary.

This is a simple and very straightforward amendment that also goes to a point of principle, in that the elected members at local authority level should not be prevented from having all the information that might be required from time to time to allow them to fulfil their remit. Legislation of any form that effectively excludes local elected representatives is not good legislation. I acknowledge the Minister of State is committed to local government reform and to empowering local government. Consequently, he should not then bring forward legislation that excludes members of local authorities from full participation. A case can be made clearly that from time to time, members of the local authority may have information that could be of use to the local authority and to the Civil Defence. It would be useful, were they in a position, via their cathaoirleach or mayor, to check the register and to verify the information contained therein is in accordance with the facts as they know them.

Deputy Paul Kehoe: I thank the Deputy. As I stated previously on Committee Stage, the requirement to develop a centralised register of Civil Defence volunteer members was introduced in the Civil Defence Act 2002 and a web-based electronic register now is in use by all local authorities. Prior to that, there was no effective centralised register apart from an amalgamation of local authority manual records. The register contains personal and confidential details on Civil Defence volunteers and captured information, other than that specified in the Act, such as health, training and qualification records. As this information is of a confidential nature, it must be protected in accordance with the data protection guidelines. What is proposed in the Bill is largely a continuation of what is contained in the 2002 Act. The Civil Defence is registered with the Office of the Data Protection Commissioner as a data controller under the Data Protection Acts 1988 and 2003. The aforementioned Acts place the responsibility for the duty of care owed to personal data on the data controller. A data controller must have a sound, clear and legitimate purpose for collecting personal data and must ensure the data are securely retained. To maintain registration, the Civil Defence must complete an annual registration form outlining a description of the data, the purpose for which the data are held, as well as the permitted disclosees of the data. In the case of the Civil Defence, the stated purpose of retention of data is the provision of a voluntary support service to the primary emergency services and the local authority or local community.

The list of disclosees, that is, those who can access the data is limited to Civil Defence headquarters personnel and designated local authority employees who have legitimate need to access the register in the course of their work. The guidance note for data controllers on purpose limitation and retention issued by the Office of the Data Protection Commissioner is very clear and states:

Data Controllers who obtain personal data from a data subject may do so for one or more specific, lawful and clearly stated purposes. It is unlawful to collect information about people routinely and indiscriminately – a data controller must have a sound, clear and legitimate purpose for collecting personal data. An individual has a right to question the purpose

for which you hold his [or] her data and you must be able to identify that purpose.

Information in the register is inputted at local authority level by the Civil Defence officer. Individual members can be given access to their own records on the register on any occasion. The Civil Defence officer may also access the records for his or her own local authority area and selected Civil Defence headquarters staff, in the course of their work, can access all records on the register through a password-protected system.

Since its introduction, no issues have arisen with regard to the operation of the volunteer register and training database and it is working very well in its current format. I also emphasised on Committee Stage that this pertains to volunteers and not to local authority employees. The protection of the privacy of Civil Defence volunteers is paramount and potential volunteers could be reluctant to join the Civil Defence if they thought their personal information was being made more widely accessible. Volunteers have confidence in the confidentiality of the register, as structured, that persons accessing their information have a sound, legitimate purpose for so doing and this is a key to its successful operation. In conclusion, I note that a previous company with which I worked had access to a huge database and I recall that just before I left the company, the Data Protection Commissioner indicated that the database in question could not be shared with anyone. As for the database in the Deputy's own constituency, I presume it contains personal information. While he is not talking about going public with it, one keeps to a small number those with whom one would share that personal information. As this is how the data should be kept, I therefore will not accept the Deputy's amendment.

Deputy Seán Ó Feargháil: With the greatest of respect to the Minister of State, his response does not make sense because under the provisions of the legislation before Members, the county manager could nominate any number of members of his or her staff to have access to this information. I am sure the Minister of State means no offence to local authority members but implicit in his response is the view that the mayor or cathaoirleach of a county or city council cannot be trusted. That is basically what is being said. It seems to be fine for any number of directors of service to have access to the information but it is not fine for an elected member who is the official face of the local authority to have access to the information where necessary. That is where we have a fundamental disagreement on the matter and I ask the Minister of State to reconsider the position.

Deputy Paul Kehoe: This is not about trusting a cathaoirleach or mayor. We are talking about volunteers in an organisation that give freely of medical records, for example, or other personal details. As I have outlined, the advice of the Data Protection Commissioner is that this information should not be freely available. The Deputy is well aware that a county or city manager will appoint a person with specific responsibility for the Civil Defence board in his or her own city or council. That person will, on occasions, access the personal records of any volunteer member. We should recognise that this affects the volunteers currently in the organisation and those which we hope will join.

Deputy Seán Ó Feargháil: The county manager may appoint anybody to do that from within his or her staff. There is no limit in the legislation on the number of people allowed to access this information. I am simply advocating that the mayor or cathaoirleach of the local authority should, if necessary, have access to the information. The status of the people in question as volunteers has no bearing whatever on who may access this information.

I do not accept the Minister of State's point that allowing the mayor or cathaoirleach to have

access to this information is in some way throwing the doors open to widely publishing the information. I cannot see any reason for the Data Protection Commissioner to have any difficulty with a mayor or cathaoirleach having that information if the need arose.

Deputy Paul Kehoe: I understand the Deputy's persistence with this amendment and how strongly he feels about it. Unfortunately, I will not accept the amendment.

Deputy Seán Ó Feargháil: That is not surprising.

Amendment put and declared lost.

Bill reported without amendment and received for final consideration.

Question proposed: "That the Bill do now pass."

Minister of State at the Department of Defence(Deputy Paul Kehoe): I thank Deputies and Senators for their comments during the debate as the Bill went through the Houses. There were some very good contributions in both Houses and I appreciate them. I thank the officials for the work put into the Bill and everybody recognises the importance of the work done by the Civil Defence. I wish a happy Christmas and a peaceful new year to all the Civil Defence members across the country.

Question put and agreed to.

Civil Registration (Amendment) Bill 2012 [Seanad]: Second and Subsequent Stages

Minister for Social Protection (Deputy Joan Burton): I move: "That the Bill be now read a Second Time."

I realise that we four Deputies are probably alone in the Dáil at this point but as Christmas is coming, it is an appropriate time to debate a Bill which proposes to extend the celebration of marriage. Although we may not have Christmas humanist weddings this year, subject to the enactment of the Bill, we may get Whitsun weddings celebrated by humanist celebrants or solemnisers.

I will outline the context for the Bill. The Civil Registration Act 2004 provides for the notification, registration and solemnisation of marriage. Only the Health Service Executive and religious bodies can apply for registration in the Register of Solemnisers established under the Act. The Bill will amend the Act by providing for an extension to the type of organisation that can nominate marriage solemnisers to include secular bodies.

In Ireland marriage and the family unit are central to the Constitution and part of our social fabric. When two people make a public commitment to each other by way of marriage, it is a cause of great celebration and an occasion on which not only do the two people wish to have their families and friends around them but also to celebrate in the belief system they hold dear. The Bill aims to extend the scope of marriage solemnisers across the spectrum of belief systems and formally acknowledge this in the registration system.

I propose to offer some general observations on the rationale and general principles inform-

ing the content of this amending legislation and then proceed to summarise the provisions of the Bill. The marriage provisions of the Civil Registration Act 2004 arose from recommendations of the interdepartmental committee on the reform of the marriage laws. The need for a universally applicable framework of clear and simple procedures to underpin the solemnity of the marriage contract was among the issues identified by the committee as requiring examination.

The main provisions of the Bill concerning marriage are to provide for common preliminaries and a single set of documentation for all marriages; the introduction of the marriage registration form, which is a single licensing system; the establishment of a register of solemnisers; and provision for a choice of venue for civil marriages.

Section 51 provides that a marriage may be legally solemnised only by a registered solemniser. Section 53 provides for the establishment of a register of solemnisers. Section 54 provides that a religious body or the Health Service Executive may apply to have a member of the religious body in question or a registrar, respectively, entered in the register.

It is clear that many of our citizens wish to celebrate their commitment to each other through a non-religious marriage ceremony. Deputies will be interested to learn that of the 19,828 marriages held in 2011, almost 6,000 were civil ceremonies. This represents 29% of all marriages performed in 2011 and compares to a figure of 6% of marriages in 1996. In 2011, there were 5,413 religious solemnisers and 113 civil solemnisers registered in the Register of Solemnisers to conduct valid marriage ceremonies.

This Bill will provide that valid marriages can be performed by bodies that fulfil the criteria of a secular body, as laid down in the legislation, reflecting the varied belief systems in a modern society which still holds marriage as a valuable life choice. In this regard, the Bill extends the definition of the term “body” in relation to marriages to include also a “secular body”. It sets out criteria which must be met by a body before it can apply to have one of its members solemnise marriage. While this limits somewhat the bodies that would be eligible, it respects the obligation of the State to safeguard the institution of marriage and ensures the bodies involved are stable, long-standing and reputable organisations.

The body must be in existence for at least five years, be an organised group of people who have secular, ethical and humanist beliefs in common, have a minimum of 50 people and meet on a regular basis. It must also have an entitlement to an exemption under section 207 or 208 of the Taxes Consolidation Act 1997 and cannot have the making of profit as one of its main purposes. In addition, there is a list of organisations which are deemed, for the purposes of the Bill, not to be secular bodies. These include chambers of commerce, organisations that are political, sporting, athletic, trade union or representative in nature and bodies that promote purposes that are unlawful, contrary to public policy or morality, in support of terrorism or terrorist activities or for the benefit of an organisation of which membership is unlawful.

The bodies will be required to meet the criteria on a continuous basis and will be obliged to inform An tArd-Chláraitheoir - the Registrar General - if they cease to do so. In the event of a body not meeting all of the criteria, the body’s members will be removed from the Register of Solemnisers. There is scope within the Bill to allow for appeals and reinstatement on the register where it is seen fit.

In amending the Civil Registration Act 2004 the Bill adds in the concept of a “secular body” to those sections that had previously provided for a religious body.

I propose to summarise the main provisions of the Bill and in doing so, I acknowledge the work done on the Bill by the Upper House and my party colleague, Senator Ivana Bacik. Many religious bodies have been defined as solemnisers of marriage. They include not only all the major religions but also many religious bodies with which many Deputies will not be familiar. Section 1 provides for the definition of the term “Principal Act” used throughout the Bill as the Civil Registration Act 2004.

Section 2 amends section 45 of the principal Act and inserts and modifies definitions in the principal Act to provide for the broadening of the type of bodies which can apply to have a member added to the Register of Solemnisers by including secular bodies.

Section 45 provides for the definitions used in Part 6 of the Civil Registration Act 2004, which relates to the amendment of the law relating to marriages. At present, this section only provides that a religious body and the executive, namely, registrars appointed by the Health Service Executive who are included on the Register of Solemnisers held in the Registrar General Office, can conduct valid wedding ceremonies. This amendment and the insertion of section 45(A), as provided for in section 3, will allow bodies who fulfil the criteria of a secular body as defined to conduct valid marriages.

Section 3 amends section 45 and sets out the interpretation of the definition of the term “secular body” for the purposes of the Bill. For the purposes of this Part, a body shall be a secular body if it has not fewer than 50 members; its principal objects are secular, ethical and humanist; members of the body meet regularly in relation to their beliefs and in furtherance of their principal objects; any rules regarding marriage, or the solemnising of marriages, do not contravene the requirements of the Act or the law; it is shown to the satisfaction of the Registrar General that it has appropriate procedures around the selection, training and accreditation of solemnisers; it has been in continuous existence for at least five years; it has, for at least five years, an entitlement to an exemption under section 207 or 208 of the Taxes Consolidation Act 1997 in respect of which a number stands issued by the Revenue Commissioners for the purpose of that exemption and that number stood issued for a continuous period of five years immediately preceding the date of its most recent application; and does not have the making of profit as one of its principal objects; maintains a register of members.

In addition, this section provides for a list of bodies which are deemed not to be secular bodies for the purposes of this Part. These are as follows: a political party or a body that promotes a political party or candidate; a body that promotes a political cause; an approved body of persons within the meaning of section 235 of the Taxes Consolidation Act 1997; a trade union or representative body of employers; a chamber of commerce; and a body that promotes purposes that are unlawful, contrary to public morality, contrary to public policy, in support of terrorism or terrorist activities, whether in the State or outside the State, or for the benefit of an organisation membership of which is unlawful.

Section 4 provides for the amendment of section 51 of the principal Act to include solemnisers from secular bodies in the requirements to be met for a valid solemnisation of marriage. Section 51 provides that a marriage may be legally solemnised only by a registered solemniser. It sets out the elements required to be met so that a valid marriage takes place.

Section 5 provides for the amendment of section 53(4) of the principal Act to allow the Registrar General to refuse to register a person if he or she considers that the body concerned is not a secular body.

Section 53 provides for the establishment of a register of solemnisers to be maintained by An tArd-Chláraitheoir. The register holds the names of all solemnisers who have been approved to conduct valid marriages and is open to inspection by the public.

Section 6 provides for the amendment of section 54 of the principal Act to include secular bodies in the categories of bodies that may apply for registration of persons on the register of solemnisers. An officer of the secular body must sign a certificate to the effect that, in his or her opinion, the nominated person is a fit and proper person to solemnise a marriage and confirm that the nominee has been selected, trained and accredited by the secular body in accordance with its procedures. The section also sets out procedures for requesting additional information from bodies regarding an application on behalf of a member to become a registered solemniser.

Section 7 provides for the amendment of section 55 of the principal Act to include the cessation of a body as a religious or secular body as a reason the registration of a person may be cancelled on the Register of Solemnisers.

Section 55 provides for the cancellation of the registration of a registered solemniser by the registrar general on a number of grounds, including a request for cancellation or that the marriage ceremony does not adhere to the necessary declarations. A registration may be also cancelled if the registered solemniser is convicted of an offence under the Act, carries on a business solemnising marriage for profit or gain, is not a fit and proper person to solemnise marriages or for any other reason.

Section 55 sets out the requirements for the registrar general if he or she intends to cancel a registration. The amendment provides an inclusion of secular bodies so that their registrations may be cancelled under the same criteria, if required.

Section 8 provides for the amendment of section 56 of the principal Act to include secular bodies in the provisions to appeal against refusals or cancellations of registration in the Register of Solemnisers.

Section 56 of the principal Act provides for leave to appeal to the Circuit Court if the Minister dismisses an appeal on the grounds that the body has ceased to be a religious body. This section provides the same appeal rights to a secular body. If the Minister dismisses an appeal on any other ground, a party to the appeal may appeal against the dismissal on a point of law to the Circuit Court. This section provides the same appeal rights to a secular body or to a party to the appeal who is not a member of a secular body.

Section 9 provides for the amendment of section 57 of the principal Act to allow for the granting of temporary authorisation to solemnise marriage to solemnisers from secular bodies. Section 57 of the principal Act already provides for the temporary authorisation of members of a religious body to solemnise marriage. An application made by a secular body under this section will be in such form and containing such particulars as may be determined by the registrar general. The application must be made by an officer of the body. The certificate must be furnished in a satisfactory form, stating that the person to be temporarily authorised is suitably trained and accredited as set out in section 45A(1)(e) and, in the opinion of that person of standing, is a fit and proper person to solemnise a marriage.

In addition, this section will provide for the registrar general to request further information regarding applications for temporary solemnisers from a religious or secular body. Currently, there is no provision for the registrar general to request additional information from religious

bodies and this amendment will provide for such a request.

Section 10 provides for the Short Title, collective citations, construction and any necessary commencement.

This Bill represents a significant and important change to the Civil Registration Act 2004, which sees us, as a nation, recognise the increasing desire of people to celebrate marriage in a way that includes their own secular, ethical and humanist beliefs. Marriage is an important institution and this Bill enhances its role in Irish law and society. I welcome the Bill, as it includes members of humanist organisations in the group of solemnisers, which to date has been confined to civil registrars and a wide set of religious faiths and bodies.

I commend the Bill to the House.

Deputy Willie O’Dea: I welcome the Bill and we have no notion of opposing it. In fact, we support it strongly. I acknowledge the great deal of work done on the Bill by a number of Members in the Seanad, in particular Senator Bacik.

On the surface, the Bill looks unexceptional and does not seem like it would make much difference. However, it represents a fundamental change. Hitherto, only two groups were enabled to solemnise marriage, those being, religious institutions, as defined, and the State in the form of the HSE. The Bill extends the category of people who can solemnise marriage to what are called secular bodies.

On the whole, the Bill allows differences to be accommodated and makes the law more inclusive and pluralist. As the Minister stated, the proportion of people choosing non-religious civil wedding ceremonies has grown rapidly in the past 20 or 25 years and continues to grow. As legislators, we must recognise and adapt to this change.

The term “secular body” has been widely defined in section 3. It must be an organised group of not fewer than 50 people, its objects must be “secular, ethical and humanist”, its members must meet regularly, it must be in existence for at least five years and it must have a charitable tax status exemption of at least five years standing. To clarify further, the section goes on to indicate which bodies are definitely not regarded as secular bodies for the purposes of solemnising marriage, for example and unsurprisingly, chambers of commerce, political organisations, trade unions, sporting organisations and organisations that promote terrorism or carry out activities that are unlawful or contrary to public policy or morality. Despite this fairly extensive definition, there remains room for argument as to what is meant exactly. In the years to come, the courts will be exercised trying to establish facts under this section, particularly in terms of the objects that bodies must have, for example, what is secular, ethical or humanist.

As I understand it, the original intention was to allow the Humanist Association of Ireland to perform wedding ceremonies. This could have been done by providing an amendment that mentioned the association specifically. There is precedent for doing so. The Minister has decided to go further, which is fine as far as we are concerned, but did mentioning the association specifically pose a difficulty? Given the objects outlined in the Bill, there is a broad hint to the effect that the Humanist Association of Ireland should be included within the ambit of secular associations. Nevertheless, I welcome the fact that the Humanist Association of Ireland will, as a result of this legislation, be entitled to solemnise marriage ceremonies among its members.

I have never attended a humanist wedding, but I recently attended a humanist funeral in

Limerick. I was impressed by the dignity and solemnity of the occasion. People of the humanist persuasion espouse an ethical philosophy of life and are required to act with reason and compassion. I do not doubt that many of them live their lives far better than people who claim to be members of particular religious organisations.

Will the Minister clarify why she decided to go further in the provision? There may be a good reason for doing so.

Under section 45A(2), a number of organisations can be refused access to the register on the basis that their objects are contrary to public morality, public policy or so on. However, this provision only relates to a secular group. In so far as religious groups are concerned, a religious group is defined in the original legislation - the definition has not been changed in this Bill - as "an organised group of people members of which meet regularly for common religious worship." This is a broad definition. During the Seanad debates, questions were raised about organisations such as the Church of Scientology, pagan associations and the Universal Church of Satan.

4 o'clock

Most people would find it undesirable that such organisations might be authorised to solemnise marriages among their members in this country simply because they happen to be part of a religious group as per the broad definition set out in the principal Act. Will the Minister clarify the position of such organisations in respect of the Act, as amended by this Bill?

I welcome the legislation generally and wish it a speedy passage through the House. Despite the other problems that currently bedevil the country, it is good that Parliament can take time out to assist the members of a very worthwhile organisation who, as I said, live their lives in accordance with the highest ethical principles.

Deputy Aengus Ó Snodaigh: I do not intend to oppose this legislation, some aspects of which I welcome. I am concerned, however, that, in other aspects, it is leading us along a dangerous path. I will explain the reasoning behind that observation as I proceed. The list of religions already authorised to solemnise marriage reflects the increasingly diverse nature of our society. I have attended a good number of marriage services in my time, both religious and humanist, and found that each one was conducted in an appropriate fashion. Some of what we are discussing in regard to this legislation might be more appropriate as part of a broader discussion on the Constitution. The constitutional convention that is due to be established would be an appropriate forum in that regard, but I understand this is not one of the issues tabled for discussion.

I welcome the Bill in so far as it accommodates humanists in this country, but it is nevertheless a somewhat bizarre item of legislation. We are told that the purpose of the Bill is to extend the facility to perform the function of marriage solemniser to secular bodies. As it stands, Health Service Executive employees and members of religious bodies are the only persons permitted to perform that function. In that context, it is bizarre that the HSE does not allow staff engaged in this role to work at weekends, which is when most people prefer to have their marriage service. If there is a requirement for a higher fee to be charged for weekend services, so be it. That type of accommodation might have addressed many of the concerns that have given rise to this legislation without allowing the devil and all, as it were, the facility to perform the function of solemniser.

The definition of a “secular body” around which the entire Bill is based is problematic. Specifically, it is somewhat ridiculous that a definition should contain within itself the word it aims to define. The definition in section 3 provides, *inter alia*, that a body will be deemed to be secular if it is an “organised group of people” and its principal objectives are “secular, ethical and humanist”. Nowhere in the Bill, however, is there a definition of what is meant by “secular”. Likewise, “ethical” or “humanist” are not defined. Just as there are dangers in going down the route of being overly descriptive, there are also dangers when legislation is not properly descriptive.

It is also a matter of concern when a definition relies heavily on references to what it is not rather than what it is. Unfortunately, that is a characteristic of a great deal of legislation. In this instance, the definition of “secular body” in section 3 goes on to articulate a long list of types of bodies that are not secular. The problem is that many of these would, in fact, be deemed secular according to most people’s understanding of the word, including, for example, trade unions and bodies which promote political causes. Here again is a certain vagueness in that the concept of “political causes” is not defined. The Humanist Association of Ireland will be one of the main beneficiaries of the provisions in this Bill, which is welcome, but a quick perusal of its website suggests that even this organisation might not satisfy the definition of “secular body” as contained in section 3, with specific reference to the exclusion of any body promoting a political cause. Its home page, for example, has a campaigns section, one of which is aimed at lobbying politicians to amend the principal Act. Ironically, that very activity could be seen to exclude the organisation under the definition set out in section 3 of the Bill. The content of the website is inherently political, including, for instance, a cheap shot at politicians in respect of holiday entitlements. There is also an inference that Fianna Fáil is bad and the Labour Party good. In fact, Senator Ivana Bacik is described as the perfect combination of lawyer, Senator and atheist. It is fine to express such views but they are undoubtedly political. Perhaps Senator Bacik will become the deity of the Humanist Association of Ireland in the future. To avoid any confusion here, let me clarify that I am joking on that last point.

Deputy Joan Burton: None of us is that perfect.

Deputy Aengus Ó Snodaigh: Perhaps. We will have to wait and see.

My point is that once these types of restrictions are included in legislation, there is the possibility that some of the bodies intended to benefit from its provisions will be excluded. Atheist Ireland has made the pertinent observation that not all atheists or secularists are humanists. By limiting the definition of a secular body to humanists, many equivalently legitimate and credible secular organisations are potentially excluded from the entitlements provided by the Bill. Indeed, Atheist Ireland has indicated its intention to challenge the constitutionality of the Bill on that basis. Not many groups made submissions or lobbied in regard to these proposals, which was rather strange, but Atheist Ireland was one of those that did. In its submission it stated:

We welcome the intention of this Bill to make our law more inclusive. However, in practice the Bill accepts and further institutionalises discrimination on the ground of religion or belief. It continues the discrimination in the Act that it is amending, which is discrimination in favour of religious people and against nonreligious people, and it adds new discrimination, this time between nonreligious people who have different philosophical and non-confessional beliefs.

The organisation submitted a list of proposals for improving the Bill, some of which I intend

to table as amendments. Others of its proposals require a closer consideration as to whether they should be dealt with in the format suggested.

I am reminded in all of this of an episode of “South Park” in which Cartman, who simply cannot wait for the new Nintendo games console to be available in the shops, transports himself into the future where a war is being waged between the United Atheist Alliance, the Unified Atheist League and the Allied Atheist Alliance. This gag may have been borrowed from a classic film. I recall gleefully watching “The Life of Brian” when it was banned in this country in 1979. It shows how far we have come as a society that we can now at least understand satire. In the film, the conflict was between the People’s Front of Judea and the Judean People’s Front. There will be occasions when such disagreements arise between different religious groups and different non-religious groups, respectively. In fact, there is recognition of that in the Bill in the provision to allow for marriages to continue even after the dissolution of the religion under which they were solemnised, which is rather a bizarre concept. The draughtsmen were very diligent in their work in this regard.

Atheist Ireland is correct in its assertion that the Bill, because of the criteria contained in section 3, discriminates against non-religious organisations and continues an existing discrimination between the religious and the non-religious. A religious body which has a deity is fine and will get in one door. However, other organisations must jump through a number of other hoops, such as to have 50 members, be five years in existence and be carrying out the practice for five years before being recognised. The group has a point but if it so believes, it will have to go to the Four Goldmines, as *Phoenix* magazine calls it. There might be problems in the future and people might be inclined to take that route if they feel discriminated against.

Giving the power to solemnise the legal contract of marriage to bodies outside the State’s infrastructure, be they religious or not, opens the State to endless and unsolvable problems which could end up in court. I do not think any legal definition can fairly answer the question, so it would have been better not to have opened up this can of worms. My preference is to move to a position where State officials are the only people who can solemnise the marriage contract. Religious services and organisations can carry out their own solemnisation of their religious contract, which is a separate contract.

It is dangerous to take the route of setting out a list of guidelines on what can qualify as a religion. I do not know if Members of the House are familiar with the religion of Pastafarianism, whose deity is the Flying Spaghetti Monster. Members might laugh but this is factual. The religion was created in the United States by way of a parody in 2005 to challenge the teaching of intelligent design or creationism in public schools in the US. It has members who say they believe the Flying Spaghetti Monster invented the world and subsequently falsified the carbon dating tests by using his powerful “noodly appendage”. They believe the pirates were the earliest worshippers of the Flying Spaghetti Monster and correlate the global reduction in the pirate population with the rise in global temperatures and associated natural disasters. It would be funny, if it was not so serious. Pastafarianism has become a global phenomenon with its members throughout the world using it to call into sharp focus the church and state divide. In July 2011, an Austrian Pastafarian won the legal right to wear a spaghetti strainer on his head in his driver’s licence photograph. He fought his case on the grounds that Austrian regulations allow for the wearing of religious headgear in identity documents.

I am cautioning against taking the route of defining religion and non-religion in the way it is done in this Bill. In America Pastafarians also sought to have, and on occasion succeeded in

having, a tree with a spaghetti on the top of it accorded equal status with the Jewish menorah and the Christian nativity scene in public buildings. Sometimes the media focus on that as political correctness gone mad, but this was a parody seeking to expose how ridiculous some of the rules were. It is not my intention to offend any religious or philosophical group, but the bottom line is that all this nonsense and the dodgy legal definitions in the Bill should be avoided. It is important to note that if marriage solemnisers were restricted to being accountable registrars employed by the State under the *Ard-Chláraitheoir*, it would be a better system. We would have a more secular society which would be more akin to a republic where everybody has equal status.

Marriage is probably the most important and most prevalent legal contract entered into by citizens of the State. As in many other countries, people should have their marriage solemnised by an official of the State and after that they are free to have whatever ritual ceremony or party they like, religious or otherwise. For the purposes of the State, it should be a State employee who carries out that role.

There are other concerns we could debate if a longer Committee Stage had been scheduled. I mentioned the Monday to Friday rules of the HSE. The legislation also states that none of these groups should be principally for-profit. Some of the religions or organisations can be for-profit and that raises concerns. It is open to a group such as The Screamers, which I remember from my youth. That was a group of 50 people who worshipped on an island off the coast of Donegal and who went around screaming their heads off as a release. It was an organised religion and if they had screamed for five years, they would be qualified under these rules to solemnise marriage. It is another example, although home grown, of what can happen, as in the case of Pastafarianism.

Another point made by Atheist Ireland is that the provision relating to the excluded bodies is taken virtually *en bloc* from the Charities Act 2009. However, it ends in this Bill with the phrase “a body that promotes a political cause”. In the Charities Act, and this Bill is similar in some ways because the same type of rules apply, it is defined as a body that promotes a political cause but continues “unless the promotion of that cause relates directly to the advancement of the charitable purpose of that body”. If that part had been left in it would have allowed the humanists to do exactly what I pointed out earlier, because it is directly related to the advancement of the charitable purposes of the body. The charitable purpose of a secular group is to promote its ideals while the charitable purpose of a religious organisation is to promote its religion, and that might involve a political cause. In fact, if the Catholic Church was not on the list and had to apply, it might fall foul of that provision because it is promoting political causes in some ways or is promoting causes which are contrary to public policy. We heard the bishops during the week, for example, saying they are opposed to the Government’s announcement. That would be contrary to public policy.

It is an area fraught with danger and it is a pity we are dealing with it on the eve of the pagan festival of the winter solstice and as nearly the last item of business before we break for the Christmas holidays. It is interesting that the humanists will benefit from our Christmas break. There should have been more thought about this. The Seanad had a long discussion about it but it would have been useful to have had a longer discussion on Committee Stage on all the questions that have been raised. However, we might have to return to this with another amendment Bill at a later date to deal with some of the points that have been raised. Atheist Ireland has said it intends to lobby the President to prevent this legislation becoming law because in its view it contravenes a number of UN Conventions, the European Convention on Human Rights, the

International Covenant on Civil and Political Rights and the Constitution. It is in that organisation's gift to take that challenge, because this legislation is likely to be passed. However, I would have preferred if we had the opportunity to tease out those issues prior to its passage in order that this organisation would not have felt the need to go to court.

I welcome the fact that we are addressing the anomaly whereby the humanists were not included in the first place but we are doing so in a way that will cause problems in the future.

Deputy Finian McGrath: I wish to share time with Deputies Mattie McGrath and Catherine Murphy.

I am grateful for the opportunity to contribute to the debate. I welcome this important Bill and the debate on the new Ireland of 2012. It is important that we deal with change, enjoy diversity and difference and, above all, respect all citizens on this island. We also must respect people of all religions and those of no religion while, at all times, maintaining a strong separation between church and State. The debate gives us all an opportunity to build a democratic and inclusive republic on this island. Sadly, events in Belfast over the past few days and weeks are not part of that process. Those involved in violence, threats, intimidation and sectarianism have no place on this island and in our shared future. I was saddened and disillusioned by the deafening silence from the political establishment in the 26 counties when silence should not be an option when sectarianism or attacks on public representatives take place. The attacks on Alliance Party members initially and then on public representatives of other political parties were a disgrace and those stirring it up should be ashamed of themselves. Regardless of our political differences, it is important that we stand up to sectarianism and racism.

I raise this issue in this debate because I want to chart a new way forward for this country. That is why I support the legislation despite a number of the flaws mentioned by colleagues. The Bill amends the Civil Registration Act 2004 to permit secular bodies as defined in the legislation to apply to An tArd-Chláraitheoir for registration on the Register of Solemnisers. These registered secular bodies along with the HSE registrars and registered religious bodies will be permitted to carry out legal marriage ceremonies. Trends in marriage over the past number of years have shown a significant interest in civil marriage ceremonies. The legislation will provide for a wider range of civil ceremonies than currently provided. The State is the only current provider of civil marriages and I warmly welcome this change.

It is important to consider the context for this legislation. Ireland is changing rapidly and for the better when it comes to respect for different religions and people with no religion. The proportion of couples choosing a non-religious wedding ceremony increased from 6% in 1996 to more than 23% in 2006. The CSO has stated that in 2012 for the first time the number of non-religious wedding ceremonies may exceed the number of religious ceremonies. The office's statistics show that the number of persons of no religion continues to increase. In last year's response the second largest response to the question on religion was from those who identify themselves as having no religion. Approximately 270,000 people ticked the no religion box. This must be recognised in a broader, inclusive republic and the legislation is a step in that direction.

With regard to the issue concerning the Humanist Association of Ireland, humanism is an ethical philosophy of life based on a concern for humanity which combines reason with compassion. The two keywords are humanity and compassion. They are not the public property of any religion. Different religions can have these qualities as well as the humanist tradition.

Humanist wedding ceremonies have legal status in Scotland, Australia and the Scandinavian countries. In Ireland, an increasing number of couples are seeking to have humanist wedding ceremonies even though they have no legal status. A total of 153 humanist ceremonies were celebrated in 2011 and almost 200 ceremonies will be celebrated by the end of this year. A total of 12 accredited celebrants perform non-legally binding humanist wedding ceremonies in Ireland. That is the background to the legislation and it is important to address this anomaly.

The Bill aims to permit humanists and similar groups to conduct legal civil wedding ceremonies. It will amend various sections in the Civil Registration Act 2004, which regulates the registration of civil marriages. We also should never take religious, civil and human rights and liberty for granted in our State or any other state. These are principles we should all be prepared to defend and protect for everybody. I will support the legislation as it is part of the reform and change process on this island and reflects the view of a new Ireland that respects all of our citizens in the tradition of Tone, Connolly and the late Tony Gregory.

Deputy Mattie McGrath: I am also pleased to contribute to the debate. While the Bill might have critics, I thank the Minister for getting it to the House because we have had a hectic session. It is peculiar that we are discussing this today after such a fraught ten days with the budget, property tax and so on. I note the list of groups the Minister will allow under the legislation but she did not include the Revenue Commissioners. After the property tax, I thought she might have allowed to carry out marriage ceremonies as well.

The Bill will permit secular bodies to solemnise marriages. Currently, the power to do so is limited to registered religious bodies and the HSE. That is awkward for people. Most weddings traditionally are held on the weekend to facilities people travelling from abroad and so on and it is difficult if civil ceremonies can only be take place during working hours between Monday and Friday. The Bill also reflects the change of views, religious practice and so on. The most recent census highlighted the number of people who ticked the non-religion box. It is important that this is reflected as we are in the House to legislation on behalf of all our citizens to the best of our ability. In 1994, civil marriages accounted for 5.11% of all marriages but in 2009, they accounted for 28.7%. That is a telling statistic. This shows there has been a marked shift in the proportion of civil marriages versus religious marriages. This must be acknowledged and reflected in the legislation. An honest effort has been made in the Bill to deal with that.

However, there is a problem with the current legislation, which I ask the Minister to note carefully. The 2004 Act provides for the registration of a registrar. This needs to be clarified as it does not provide for the registration of a solemniser. When the Registrar General is acting as both registrar and solemniser, there is a serious conflict of interest. Following correspondence with a constituent of mine, Mr. Niall Dennehy, Commissioner for Oaths in Clonmel, the Registrar General is refusing to register him as a solemniser in spite of the fact he was appointed by the Supreme Court as a Commissioner for Oaths and is empowered to officiate at the making of any solemn declaration within the State. He is not the only Commissioner for Oaths and this discrepancy needs to be clarified. He can officiate at the making of any solemn declaration within the State. Why is he debarred in this regard? I would appreciate it if the Minister could follow up on this and come back to me on it.

In these difficult and challenging times, people are struggling. I do not wish to stray from the Bill, but I must agree with Deputy Finian McGrath that bullying and intimidation of politicians is unwelcome. We thought we had moved away from it. This evening, I will travel to my own county to a very sad funeral of an eminent businessman whose family had been in business

for generations and who committed suicide having been bullied by the State, the banks and the courts system. In Wexford recently, awful violence was perpetrated on a family. We have time to reflect on moral society in the Bill but we must also leave behind that baggage. We cannot allow a third force to destroy people's lives, their will to live and the air they breathe. They are entitled to that.

The Bill is an attempt to legislate for citizens with different viewpoints. We have to do that and be understanding and accepting. The Bill lists a number of groups that are deemed, for the purpose of the Bill, not to be secular. The list includes political parties or bodies that promote political candidates and bodies that promote a political cause. Some people have suggested that the Catholic Church should not be a designated body because of statements and pronouncements it has made. The Catholic Church is leading its flock and is entitled to do so and to make pronouncements. I only speak for myself in saying this.

I will not forget for a long time the hostility I was shown outside the gates of the House a few weeks ago when we were debating Deputy Clare Daly's Bill. The people concerned claim to be pro-choice. I accept that they were hijacked by an organisation. Anyone who engages in a legitimate protest these days seems to be hijacked by the same organisation. I was shocked and frightened by the hostility and vitriol shown to me by people who claim to be pro-choice. I suppose public representatives are used to this, but I could not believe their animosity towards people who choose to differ from them.

We must all deal with issues sensitively and as well as we can. That is what the Bill tries to do. We cannot be bullied or intimidated. We must have open and free discourse and debate and be able to act according to our consciences and beliefs.

I wish the Bill well. I compliment the Minister on getting it here and wish her a happy Christmas.

Deputy Catherine Murphy: I welcome and support the legislation which provides for much greater choice for people who want different types of civil marriage ceremonies.

The Bills Digest tells us there has been a significant increase in interest in civil marriage ceremonies, although we did not need the Bills Digest to tell us that. The Bill will permit a wider range of ceremonies than are currently provided. Civil wedding ceremonies are only provided by the HSE, which only works between Monday and Friday. This is amazing, given that people who attend weddings may have to take a day off work and incur expense in doing so. This needs to be tackled.

Seeing marriage as a legal contract recaptures our Celtic traditions because that is how it was seen in ancient times. Types of marriage have evolved over centuries. Irish marriage customs changed radically over time. Up to the 12th century, marriage was provided for by the Brehon laws and was purely a legal matter. A comprehensive legal contract was drawn up, usually between equals, and all long-term relationships were recognised. It was customary for children to be fostered and the term "illegitimate" was unknown. Divorce was permitted. Dowries were, initially, paid to the bride and to her father and thereafter to the bride on an annual basis for the duration of the contract, which was normally 21 years. Contract failures were enforced by the kin of the aggrieved party. I do not know how it was done but, clearly, it was. The customs surrounding these laws generally died out and were fully extinct by the 17th century. This occurred as British control tightened and extended into the most remote parts of

the country. I took this information from *Sex and Marriage in Ancient Ireland*, by Patrick C. Power, published by Mercier Press. It is interesting that we have a notion that marriage has been a religious contract for centuries. It is a changing environment.

The practice of the bride's family providing a dowry initiated in the upper echelons of society, with royalty and gentry devising the system to ensure the marriage had the approval of both families. Many families had enough money to provide a dowry for only one person. People lived very sad lives without choices because of the way society was organised.

In post-Famine Ireland, non-inheriting offspring had little or no means of independent income, with no prospect of marriage. Many of them took the emigrant boat. Some came back, having gone away and earned a dowry, and subsequently married. Emigration was often seen as a means of escape for those who were matched with people of an inappropriate age and elopement frequently occurred when love was not matched with a dowry or when the selected party was unacceptable to the prospective bride, who had other ideas about who she wanted to marry. This information is taken from *Irish Marriage Customs* by Maria Buckley, also published by Mercier Press.

In the National Library, Roman Catholic records are held on microfilm. They are regarded as private records because they are a contract between parties rather than a public contract. Church services reflect that. Since the introduction of civil registration in 1864 there is also a civil side to church weddings. One has to write to the bishop and ask permission to see the microfilm records of some dioceses, including records in counties Tipperary and Kerry. They are generally available to view but are seen as church property rather than public property. When I went to Belfast to view the marriage records of my great grandparents I was not allowed to see the entries on either side of their entry. It is important we have public records and not see them as something that is just for now. Marriage is a very important legal contract but the records are also very important historically.

People marry principally because of the legal rights it brings, particularly with regard to children, inheritance, pensions and so on. We should encourage people to enter into those legal contracts because to do so leaves less uncertainty, particularly for children. The married parents of a child are joint guardians and have equal rights.

Things also need to be done regarding unmarried arrangements. Unmarried fathers often have few legal rights. Rights come with responsibilities. If we are doing something on that we must build in the responsibilities that must be accepted. In Australia, for example, a parent may not leave the country if they owe maintenance payments. A number of issues regarding marriage need to be dealt with differently.

Earlier this year, *The Irish Times* reported census figures that showed a decline in the number of cohabiting couples in Ireland and that Ireland still has one of the highest birth rates in Europe. Figures released today show that we have the highest birth rate in the European Union. The census figures indicated that the traditional family unit remains remarkably stable, with the numbers getting married on the rise and a slow-down in the rate of cohabiting couples. The availability of civil marriage plays an important part in this, I believe. People wanted the choice. The humanist and other options are important. Deputy Ó Snodaigh made the point that there can be difficulties regarding who qualifies to perform wedding ceremonies.

Cohabiting couples with children tend to be younger, indicating that many go on to marry

in later life. Recently, I read a report that people tend to marry within five years of having children, which shows that the legal connection is important. Any group that is recognised as fulfilling these regulations must be robust because this is a legal obligation. When civil registration was introduced in 1864, even though it was a legal obligation, there was a 15% attrition rate and those events went unregistered. It is essential we do not see gaps in the future and whatever we do is done to provide legal certainty and proper historical records.

Deputy Emmet Stagg: I welcome the opportunity to speak on the Civil Registration (Amendment) Bill 2012. I thank Members of Seanad Éireann, particularly Senator Ivana Bacik, for passing the Bill with the support of all parties and Independents. The Seanad supported the Bill twice, in its first, slightly simpler form as introduced by Senator Bacik on Private Members' business, and a second version that had been fireproofed by the Attorney General and the Parliamentary Counsel. Due to other pressures in the Office of the Attorney General, this took longer than expected. I am aware there was disappointment at the delay with what seemed to be a simple and limited project but it was quite complex as it was breaking new ground and had no precedent.

I also thank the Minister for Social Protection who supported the Bill and has introduced it in the Dáil on behalf of the Government. Without taking anything from the Minister's support, however, when it is enacted, the Bill should be known as the "Bacik Bill". It is a simple measure, although lawyers will say there is no such thing. It will allow the Humanist Association of Ireland to legally perform civil wedding ceremonies in Ireland, which was the simple objective. I welcome to the House the members of the Humanist Association of Ireland and offer my apologies for the delays that occurred in finalising this reforming measure. The association can now look forward to legal humanist marriage ceremonies in spring 2013. I place on record my welcome for this reforming measure that reflects the change in wider society, as opposed to the slower rate of change in these Houses.

Those who declared themselves to be of no religion in the last census numbered 270,000, second only to the number of Catholics. I suggest to those who compile the questions for the census forms that if the questions on the religious or non-religious status of the respondent were couched in a less leading manner, the number would be much greater.

Previously, apart from the HSE registrars, only religious groups were authorised to perform legal marriage ceremonies. This measure will be the first time a secular body, or a non-confessional, ethical, philosophical group will be added to that list. It is absolutely right in a modern republic that all strands of society are recognised and accommodated. The Bill will accommodate difference in our laws and will show that we can be inclusive and respectful of difference.

I wish to acknowledge that I have received correspondence from Mr. Michael Nugent, chairman of Atheist Ireland, pointing out how the Bill could be improved to be more constitutionally sound. I appreciate the points made but would suggest the simple objective in this case, to add the Humanist Association of Ireland to the list of those who can perform legal marriage ceremonies in Ireland, is met by the Bill as it stands. I warn against looking for perfect, which is often the enemy of good. The other equality and constitutional issues raised by Mr. Nugent can and will be dealt with on a future occasion and, in particular, at the constitutional forum convention.

Again, I thank Senator Bacik and the Minister for Social Protection for bringing the Bill to this concluding stage and congratulate the Humanist Association of Ireland on a successful campaign. The decision today will be a suitable season's present for the association.

Minister for Social Protection (Deputy Joan Burton): I thank all the Deputies who so warmly supported the Bill. Earlier I acknowledged the contribution of the Seanad on this Bill, specifically the work done by my colleague in the Seanad, Senator Ivana Bacik. I was glad to ask the Government to introduce the Bill in the Oireachtas to permit solemnisation of weddings by the Humanist Association of Ireland.

I agree with Deputy Stagg that sometimes the best can be the enemy of the good. In the Seanad, Senator Cullinane supported the Bill very strongly but in telling us about the organisations that are religious, I point out that on the list of religions catered for already in Ireland when it comes to solemnising weddings is the Pagan Society of Ireland. A joke went around the Dáil yesterday about objections from Atheist Ireland, which wanted a definition of philosophical and non-confessional. It was said that would appeal to Sinn Féin because the leader, Deputy Adams, was seriously opposed to confession and has never been in the business of confessing anything and will not change now.

This legislation reflects developments in wider Irish society. The only regret I have about this Bill is it does not allow the celebration, either by religious or humanists, of the marriage of two people of the same sex. We had a successful development of civil partnerships and in the years since that legislation passed, that has proven valuable, bringing much joy to many same-sex couples. We should note, however, the legislation, at this point, unfortunately does not include the solemnisation by humanists of same-sex marriages. Obviously, that is one of many issues that is being referred to the constitutional convention. In time, we may return to the Dáil on that point.

Overall, this is a reflection of how Ireland has changed. It is also a reflection of what happens in other countries, as a number of Deputies pointed out, particularly in a country like Scotland. Like other Deputies, I have attended many ceremonies conducted by humanists, both funerals and weddings, and they have been conducted with great dignity, solemnity and respect. Bearing in mind that marriage is about celebrating two people stepping out into life together, it is appropriate that it should be conducted with due ceremony, respect and solemnity. Another concern I had about some of the material in the submission from Atheist Ireland is that we must be specific about the criteria because there are places in the United States where the criteria for solemnising are very broad and, as a result, an Elvis impersonator in Las Vegas can perform wedding ceremonies. None of us wants anything like that here. There is all-party agreement on that point.

The question was asked why secular bodies are required to fulfil more criteria than religious bodies. The purpose of the Bill is to amend the provisions of the Civil Registration Act 2004 and the Bill sets out criteria that secular bodies must meet so they can apply to have their members included on the Register of Solemnisers. The inclusion of secular bodies on the register has not been addressed previously and the legislation is designed to ensure the institution of marriage is protected by applying a rigorous set of rules regarding the type of body that can be deemed eligible. In this regard, it is important that the criteria should be robust so that the authority to solemnise marriage would be granted only to stable, long-standing and reputable organisations. I am pleased to bring this Bill before the Dáil today.

Question put and agreed to.

Bill reported without amendment, received for final consideration and passed.

An Leas-Cheann Comhairle: A message will be sent to the Seanad acquainting it accordingly.

Topical Issue Debate

Family Resource Centres

Deputy James Bannon: I thank the Ceann Comhairle for fitting this important matter into the schedule in what are the very last moments before the Christmas recess. I am pleased to have the opportunity to highlight the need for the Minister for Children and Youth Affairs to clarify the position on the future of the family resource centre, FRC, programme, in particular, the impact of the imminent changes in respect of the policy context in which the family resource centres will exist. I refer to Lus na Greine Family Resource Centre at Granard, County Longford, Bridgeways Family Resource Centre, Ballymahon and Cara Phort Family Resource Centre, Ballynacargy, County Westmeath and Monsignor McCarthy Family Resource Centre, Athlone, County Westmeath.

Following the move of the FRC programme from the Family Support Agency into the new child and family support agency with, I believe, a commencement date of 1 January 2013, Lus na Greine and all the other family resource centres are extremely anxious for assurance that their work in Longford-Westmeath and elsewhere throughout Ireland will continue and not be compromised under the new agency.

Lus na Greine, in common with the other FRCs, is experiencing increasing demand for its services while budgets are being reduced year after year, and it did not start with this Government. The reality of a new agency to support children and families is that it can provide an exciting opportunity to enhance care and services, but this cannot be done without necessary funding. While Lus na Greine in Granard is delighted to have recently received a lottery grant funding of €2,000 from the Department of Children and Youth Affairs to develop a young women's group for which I thank the Minister personally here this evening, this is once-off funding and not a long-term solution to the financial need. It is essential that the forthcoming Bill on the child and family support agency recognises the work being carried out by the FRCs and the challenges facing them in the current economic climate. Now more than ever, their help is needed in the communities they serve.

I am fully aware and grateful for the wonderful work carried out in Longford-Westmeath. I draw the Minister's attention to the following points on which Lus na Greine and the others are seeking assurances. They seek full support for the continuation of the work of the FRCs in Longford-Westmeath. They also seek assurance that the family resource centre national forum has representation at board level within the new agency in line with the past involvement with the Family Support Agency. This has engendered a beneficial working relationship between the State agency and the voluntary sector service provider. It is essential that the ethos and culture of the FRC programme be maintained. The FRC has heretofore focused on delivering family supports in local communities through a community development approach.

I seek the Minister's support for a ring-fencing of the budget for the FRC programme. As I have already stated, the cutbacks imposed year after year have placed massive pressures on the FRCs and it is only through a ring-fenced budget that the integrity of the family support will not be diminished. Lus na Greine in Longford-Westmeath and the other centres across the country stand ready to start the new year under a new agency, which, hopefully, will see them go from strength to strength.

There are 106 family resource centres in Ireland dating from the 1970s. They became a formal programme in the 1990s. I need not tell the Minister about the wonderful work they have done in rural communities such as Longford-Westmeath.

5 o'clock

In Longford-Westmeath more than 50 activities are undertaken at the various centres. The FRC core grant was frozen from 2008 and a 5% cut was implemented in 2012. This was despite an ever-increasing demand for services and increased costs. Given the current level of austerity, poverty and exclusion being experienced in deprived communities, front-line services are more important than ever.

An Leas-Cheann Comhairle: I thank the Deputy. He will have a further two minutes later.

Deputy James Bannon: I will finish now. It is essential that these facilities be recognised as flagship programmes in the new child and family support agency. The FRC programme should have its own budget management, data collection systems, and community policy and practice so that it can continue its work for our communities in the harsh reality of the current economic and social climate.

Minister for Children and Youth Affairs(Deputy Frances Fitzgerald): I thank the Deputy for raising the issue. He can certainly reassure the local family resource centres, on whose behalf he raised the issue, that their future will not be compromised and will be supported under the new agency. The programme for Government commits to a series of reforms in the provision of children and family services. A key part of this reform agenda is a new child and family support agency, which will be established next year.

The Government has recently approved the heads of the child and family support agency Bill and has agreed to the priority drafting of the Bill. The preparations are being prioritised so that the agency can be established in 2013. From the beginning that agency will have responsibility for a range of services, including child welfare and protection services currently operated by the HSE, and domestic, sexual and gender-based violence services. This is the first time we will have a dedicated agency with its sole focus on all these issues, separated from the HSE.

The decision we have taken has been informed by the work of the task force which met all of last year and published its report in July of this year. I agree with the task force recommendations that the agency should be as broadly based as possible and should include a range of prevention, early intervention, family support and therapeutic care interventions. The work of the agency will include a particular focus on the provision of those services which help prevent problems arising for a family. It will identify problems and provide supports at an early stage, and assist children and families in managing serious problems requiring interventions beyond its own resources.

It is my intention therefore, that the agency will have a strong role in supporting families

and communities. The 106 family resource centres throughout the country, including those the Deputy mentioned will play a strong role. Responsibility for the current programme operated by the Family Support Agency will transfer to the child and family support agency upon its establishment. It will build on the excellent work the resource centres have undertaken with families and communities throughout the country. I have seen many of them at first hand and seen the work they have done. The Deputy mentioned the range of 50 activities in the resource centres in his area. I fully support that work and want to see it continuing in the new agency alongside its child protection work. They are two sides of the same coin and both are very important.

Regarding funding, the Family Support Agency, like many other State bodies, has been asked to make savings across all the programmes it administers. It is required to achieve savings of 5% per annum over the years from 2012 to 2014 on the costs of the family resource centre programme. This is tough on the centres but the cut is less than others have been asked to take in the current climate in order to get our finances right. The Family Support Agency has written to family resource centres advising them of the reduction in funding and the need to plan for this change. I am aware of the challenges the reduction in funding raises for the family resource centres on which increasing numbers of people rely. However, the Family Support Agency has not stipulated how centres should apply the revised level of funding. They have been asked, for example, to focus on the scope for greater efficiency and for a reduction in the administration and overhead costs associated with the day-to-day running of the centres, with the objective of supporting as far as possible, the services the centres provide to families and groups at local level.

The Family Support Agency and the family resource centre programme will form an integral part of the new agency that will come into being next year. Supporting families at all stages of their lives, particularly during more difficult times, is at the core of the work of family resource centres and this complements the priorities of both my Department and the new agency.

The new agency and the wider transformation of children's services represent one of the largest and most ambitious areas of public sector of reform embarked upon by the Government. Its establishment will bring a dedicated focus to child protection, family support and other key children's services for the first time in the history of the State and is long overdue. In time it will contribute to the transformation of essential services for families and communities.

Deputy James Bannon: I thank the Minister for her response. However, in the spirit of Christmas, it is not quite the gift for which I hoped. In her response she said, "The Family Support Agency has written to family resource centres advising them of the reduction in funding and the need to plan for this change." While I understand there is nothing permanent, I accept change. I understand the great demands on the State coffers, but it is not an adequate excuse. However, I know the Minister is constrained by finances.

Aside from funding the Minister has made some concessions, but not enough for me to be satisfied. I will continue to lobby the Government on behalf of the centres in Longford-Westmeath until their societal benefits are fully recognised and rewarded. I have visited those centres and know the amount of work they have done and how beneficial they are to rural deprived communities. Being penny-wise and pound-foolish can result in greater costs in the future and does not make economic sense. I have every confidence that the Minister will do a good job. On her next visit to Longford-Westmeath I hope she will take time to visit the centres in my constituency and see the great work of the people working at the coalface and to meet the

people who have benefited greatly from the services over the years.

Deputy Frances Fitzgerald: I agree with the Deputy on the value of the work being done. However, a core part of delivering our services is to reform certain aspects of them. While I said it was up to the local resource centres to decide how to deal with these budget cuts, they need to look at the areas I mentioned. However, the most important thing for us in Government is that the national finances should be in order and that we return to economic growth. When we are in that position the family resource centre programme will be a key area to develop. Such centres reach out to families at an early stage. Early intervention makes economic sense as well as personal and social sense for the people who receive the services. I hope the Deputy understands the situation we are in. We need to take the kind of action I have outlined. However, this is also a period of opportunity for the family resource centres with the new alignment and the new agency. That will be of benefit to their work and will bring coherence at local level to the work done by the child protection services and the family support work being done in communities. That alignment is vital in giving good services to children and families. I again thank the Deputy for raising the issue. I would be very happy to continue to visit family resource centres throughout the country, including in Deputy Bannon's constituency.

Garda Stations

Deputy Shane Ross: The announcement of the closure of Stepside Garda station about two weeks ago took the people of Stepside and the surrounding area by surprise and was a considerable shock to them. The area between Dundrum and Enniskerry, in which approximately 18,000 to 20,000 people live, will be without a Garda station as a result. I must declare an interest as I was brought up about 500 yards away from this Garda station. In the days when I was growing up, it was the centre of a very small community. It is now the centre of a very large community which is extraordinarily surprised and universally upset by the fact that the station is to close, because it is such an important part of the lives of young and old people in this area.

We held a meeting about this in Kilternan a few days ago and what was so striking about it was that people of all ages and from all areas of life feel they depend on the local Garda station as part of their local community. Members of the Garda also attended the meeting and spoke against this closure, saying it would be far more difficult to police the area if this station is closed next July or at any other time. Stepside contains a post office and many shops and has been expanding considerably in recent times. The area that will need to be policed includes Sandyford, Leopardstown Shopping Centre, Carrickmines, Carrickmines Retail Park and Glencullen. The area also has a rural aspect. It is very important that people who live in and around the Dublin Mountains in Glencullen and Barnacullia have a local Garda station. They feel they will not be properly served if this service goes to Dundrum or Blackrock.

I know the thinking in the Department is that the area will be well policed because there will be a large number of Garda cars able to service the area. The difficulty here is the distance, the traffic and the problem of getting from Dundrum out to Kilternan in a short period of time. That will be the real problem. This Garda station, which includes 30 gardaí, will have to be removed and I do not know what will happen to it. I do not know if the Minister for Justice, Equality and Defence heard about the result of that meeting but there was a unanimous demand that this Garda station be kept open. I welcome the presence of Deputy Mathews, who is also against the closure.

Minister for Justice and Equality (Deputy Alan Shatter): I thank Deputy Ross for raising this issue. I fully appreciate the sensitivities with regard to Garda station closures. While I dealt with the issue at great length in the House during Question Time just over a week ago, this Topical Issue debate provides me once more with an opportunity to set out in clear and unambiguous terms the objectives of the programme of consolidation of the Garda station and district network.

The decision to close 100 Garda stations in 2013 was the result of a comprehensive operational assessment carried out not by me but by the Garda Commissioner over the past 12 months. The policing plan for 2013, which I laid before the House two weeks ago, outlines the Commissioner's proposals for the continued reorganisation and consolidation of the Garda station and district network.

It is important to put the consolidation of our Garda stations into context. Up to this year, the Garda station network was essentially the same as the Royal Irish Constabulary network in 1922, comprising 703 Garda stations. Such a large-scale static deployment of resources is no longer appropriate in the present day with a transport and communications infrastructure which has been transformed. The Garda Síochána has a class-leading police computer system, a state-of-the-art digital radio system and a transport fleet which is currently receiving significant investment. The new Garda roster being piloted across the country provides a better match between Garda availability and policing demand. All of these developments enable the Garda Síochána to be more mobile, responsive and flexible and to deliver a more effective policing service. After the closures in 2013, there will still be 564 Garda stations in the State. That will still be significantly more than comparable jurisdictions such as Northern Ireland, where there are 86 police stations for a population of 1.5 million people, with plans to further reduce this number, or Scotland, with around 340 police stations for a population of 5.2 million.

In contrast to previous Governments, this Government has chosen to increase the effectiveness and efficiency of the Garda Síochána by enabling and supporting those measures which are bringing the organisation, structures and service delivery in the Garda Síochána up to the highest possible standard. The objective of consolidating our network of Garda stations is to ensure efficient and effective policing, and this strategy is working. Smart policing is not simply about bricks and mortar. It is about community policing and the visible presence of gardaí on our streets. A total of 39 Garda stations around the country were closed in 2012 and, as a result of this and other measures, more than 160 gardaí were freed up for front-line operational duties. The consolidation of the stations will also mean that where they are State-owned, they will be available for alternative community use or disposal.

Having set out the general context, I will turn to the specific situation in Stepside. Stepside is in the Blackrock District in the Dublin Metropolitan Eastern Division and it is approximately eight kilometres from the district headquarters at Blackrock Garda station and six kilometres from Dundrum Garda station. There are 34 members of the Garda Síochána assigned to the Stepside station. The Commissioner has indicated that these members will, as far as possible, remain in the Blackrock District and be transferred to Dundrum Garda Station. The freeing up of gardaí from desk duties in Stepside Garda station will increase the number of gardaí available for front-line policing, to the benefit of the community in Stepside.

Deputy Ross has quite an odd view of policing. He seems to think that all of the gardaí simply sit in the station and do nothing until someone telephones them, as he made reference to the distance from Dundrum. Clearly, members attached to that Garda station will assume

policing duties across the entirety of the area, including Stepside; gardaí will be out in patrol cars, and there will be more gardaí available to engage in policing rather than sitting behind desks in the building.

Local Garda management will shortly commence the process of engaging with staff interests and local communities through partnership processes, the joint policing committees and other forums to advise them of the revised policing arrangements for the Stepside area. The Commissioner has clearly indicated that he is confident that the implementation of the restructuring proposals contained in the 2013 policing plan will not lead to any diminution in the service provided by An Garda Síochána. The move towards more centralised services will facilitate the introduction of enhanced patrolling arrangements which, in turn, will provide increased Garda visibility as well as maintaining existing Garda links with communities throughout the country. The objective will be to ensure that the best possible policing service will continue to be provided in our communities. The Commissioner has concluded, and I fully agree with him, that resources could be better deployed by closing some Garda stations and reducing the public opening hours of others at off-peak times. As a consequence of additional gardaí being freed up from desk duties, there will be an increase in the number available for front-line policing duties.

Despite our financial difficulties, we were able in 2012 to acquire 213 new Garda vehicles at a cost of €4 million. I am very pleased that in 2013 a further €5 million will be made available for the purchase of additional Garda vehicles. The modernisation of the Garda fleet is a crucial part of ongoing reform. It is crucial to good policing in local communities and gardaí being available to patrol local communities. This applies to the Stepside area as it does to other areas in Dublin South. I am determined, as Minister for Justice and Equality, that the resources of our Garda Síochána are used in the best and most effective and efficient way possible. I believe that Commissioner Martin Callinan is doing an excellent job in bringing about the modernisation and reform of An Garda Síochána and I support him in his work. Insofar as any member of Stepside Garda station has said it will be more difficult to police the area, it is not the view of the Commissioner. Let us be frank about this. If any individual has a difficulty with criminality in his or her area, he or she telephones the Garda.

It is not the garda at the end of the telephone sitting at a desk who rushes out of the Garda station to provide the necessary policing assistance. That is provided through gardaí in patrol cars getting to the location where difficulties have occurred. There is nothing occurring which will in any way result in a diminution of the policing efficiency in Stepside. In fact, the Stepside community will benefit from the fact there will be new and more modern patrol cars available, and from the general increase in the number of gardaí available to engage in front-line policing, whether in crime prevention or detection.

Deputy Shane Ross: I do not know whether the Minister has ever driven from Dundrum to Stepside or Kilternan during rush hour. As he stated, it is between 6 km and 8 km away. The problem with moving people further away is that they are not necessarily going to be able to reach the scene of a crime as quickly. This is common sense. The problem with the attitude of the commissioner and the authorities on all of these matters is that we always get explanations which are in terms of structures and vehicles. The gardaí will spend more time in their cars but this debate is about people and communities. It is no accident that 350 solid people turned up last Monday night fearful of the loss of a pivotal part of their community. They did so because they see the local garda and the local Garda station not only as part of their protection and security, which undoubtedly they are, but also as part of the community. One of the gardaí said quite specifically that it is important to have gardaí in an area so that children grow up to see

them on the beat walking around and belonging in the area. This belonging is important so that it is part of them.

I understand the argument the Minister is making in terms of structures, but it is meaningless in terms of people. It is also meaningless in terms of what people feel about their community and what the people of Stepside and the surrounding area feel is being removed from their community. Will the Minister, in deference to these people, meet a group from the community who want to express their views on this issue? I will bring them in to meet the Minister so he can hear what they have to say.

Deputy Timmy Dooley: Deputy Ross has trumped Deputy Mathews on the delegation.

Deputy Alan Shatter: I assure Deputy Ross I am well able to meet people from my constituency without it being necessary for him to troop them in to me. Deputy Ross well knows he is choosing to ignore what I said earlier. He seems to have a very odd view of policing. He seems to think a large number of members of the Garda Síochána sit in Dundrum Garda station waiting for a call. This is not what policing is about. Deputy Ross chooses to making an argument with no credibility. I reiterate what I said earlier. This frees up gardaí for front-line policing and reforms the Garda station network. What it does, and what it will continue to do, is ensure the Stepside area, as well as all other areas in south Dublin, are properly policed, patrol cars are on the roads and not parked in Dundrum Garda station awaiting a phone call and gardaí are on the beat engaged in community policing.

The difficulty with Deputy Ross's position on this issue, like so many others, is that he is a serial protester who is opposed to any innovation and reform and anything that could result in the more efficient use of resources. In other areas he castigates the Government for not being efficient, but it is extraordinary how whenever something is done to introduce efficiencies he always has a reason to oppose it. I agree this is about people. It is regrettable that Deputy Ross called a meeting which was designed to create alarm. It was a meeting for his own political purposes. If Deputy Ross had an interest in me as Minister for Justice and Equality addressing the meeting he would have advised me of it and I would have been happy to have attended. I would not unilaterally intrude on a personal meeting which he arranged.

Deputy Shane Ross: It was a public meeting advertised in the constituency. The Minister would not go to a public meeting; he must be invited.

Deputy Alan Shatter: It suited the Deputy to arrange it in that way because it was a crass piece of local party politics-----

Deputy Shane Ross: The Minister would not go to a public meeting because he must be invited.

Deputy Alan Shatter: -----designed for his own personal benefit-----

Deputy Shane Ross: The Minister is a member of the public as well.

Deputy Alan Shatter: -----and designed and intended to create alarm and concern for individuals who have no reason to be alarmed or concerned because what we are doing, and I reiterate it, is using our police resources wisely. No crime is prevented by the existence of bricks and mortar and a garda sitting in a Garda station. Crime is prevented by gardaí being out on the beat, by patrol cars being out and available and having the facility to come to people urgently

when difficulties arise. The reality in this case is that this is part of crucial reform which will ensure for people in Stepaside they have the policing service to which they are entitled, and that we used to the maximum possible extent our well-trained Garda force to engage in policing and not be confined to desk duties.

Deputy Shane Ross: The Minister will have to be invited to more meetings. The Minister may not realise it but he is a member of the public. He does not have to be invited. Members of the public are invited-----

Deputy Alan Shatter: Obviously I struck a nerve. Deputies Ross and Joe Higgins have a lot in common. They are serial protestors about everything.

Deputy Shane Ross: The Minister is not a member of the public any more. He is way above it.

Deputy Alan Shatter: If Deputy Ross wished me to attend the meeting he could have arranged it and I would have been there.

Deputy Timmy Dooley: It is great to see Deputy Ross getting into the old parish pump politics.

Deputy Shane Ross: The Minister for Justice and Equality; God almighty.

Deputy Alan Shatter: Deputy Ross is making a fool of himself again.

Deputy Shane Ross: And he is Minister for Defence.

Deputy Alan Shatter: If he were really interested in the issue he might have tabled a parliamentary question on it.

Deputy Shane Ross: Minister for nothing.

Deputy Alan Shatter: It is extraordinary it took the Deputy two weeks to raise this issue in the House. Other Deputies raised issues about Garda stations during Question Time.

Deputy Shane Ross: We will have a special meeting for the Minister and we will issue him with a gold-plated invitation.

Deputy Alan Shatter: It is probably inconvenient to the Deputy to be in the House for Question Time because he is so rarely here participating.

An Leas-Cheann Comhairle: We will move on to the next Topical Issue raised by Deputy Timmy Dooley.

Deputy Timmy Dooley: I would be very happy to let two intellectual beasts of the House-----

An Leas-Cheann Comhairle: I would not.

Deputy Timmy Dooley: Then I will not do the Leas-Cheann Comhairle's job for him, but it would be entertaining to hear the two intellectual beasts deal with local parish pump issues. It is great to hear them in touch with reality for a change.

Deputy Timmy Dooley: I thank the Leas-Cheann Comhairle for the opportunity to raise this important issue. It is the last Dáil sitting day of 2012 and sadly the long awaited positive ageing strategy continues to be long awaited. There have been numerous false dawns signalling the imminent publication of this strategy but the most concrete assurance was by the Minister of State, Deputy Kathleen Lynch. Initially, it was to have been done last October and definitely to have been before Cabinet for approval by the end of the year. To the best of my knowledge there will not be another Cabinet meeting before the end of the year but perhaps the Minister will enlighten us in this regard. If there is a Cabinet meeting perhaps he will be able to resolve the Stepside issue also.

Is it possible that part of the issue may surround resourcing in the Department? There seem to be issues in the section dealing with the office for older people. Have many people left the section and, if so, have they been replaced? Are sufficient policy personnel available to work on the issue? There seem to be policy development personnel in the Department of Health and I would have thought they would be available to assist in drafting this strategy under the guidance of the Minister and the Government. Why has this resource issue not been tackled, which would be in accordance with the Croke Park agreement? There simply seems to be no great urgency by the Government in dealing with the issue. If there was, the strategy would have been published by now

Perhaps the Minister of State, Deputy Lynch, holds too many portfolios. Unlike in the previous Government, no dedicated Minister of State with responsibility for older people has been appointed. When the Government was initially appointed the portfolio was not even awarded. A stop-gap solution was put in place to handle the fallout around this oversight with regard to older people, and the tag was shoved on to the end of the Minister of State's extensive list of responsibilities

Strategically this is a key policy area for future planning and if we are anticipating the future ageing of the population and pension issues as looming crises, which I believe we are and we should, then we are already running out of time to put in place the planning structures needed for delivering some key strategic interventions to plan for the future. Pushing out the qualifying age for pensions but retaining the mandatory retirement age is being presented as a stop gap. The latest step is to get people who have just retired and who now cannot draw down their pension to sign on for a few years. A high level work and retirement forum has been set up by the Minister for Social Protection to address these anomalies, but it is a classic example of a lack of planning where the stable door is closed after the horse has bolted.

I would have thought that to reach the end of the European year for active ageing and solidarity between generations and not have successfully concluded the publication of the national positive ageing strategy is embarrassing for the Government, and especially for the Minister concerned. As part of the development of the strategy, a group was established called the non-governmental organisation liaison group to feed in to the development of the strategy. Thus far, however, that group has not seen a draft. This is a complete indictment of our policy developers, yet it seems to be the *modus operandi* for this Department. An effort has been made to keep sectoral experts at arm's length as opposed to engaging fully with them as key and valued partners.

It has been suggested to the Older and Bolder organisation that the interdepartmental group set up across the various Departments has been dragging its heels on this matter. It has not even been able to get the list of who constitutes the current interdepartmental group. In the absence

of a political champion in this House pushing hard for this, and the fact we are still waiting indicates that there is no such urgency, we will continue waiting.

In Ireland, people are living longer and have more years of healthy active living than previous generations enjoyed. As the lifespan of older people extends, the frailties and disabilities which affect them need a caring effective response. As Ireland becomes a more urban society and more socially fragmented, social isolation and its many negative impacts on older people need to be recognised and countered.

The economic recession hits all sections of our society but has particularly severe consequences for older people, which also deserve to be identified and mitigated. Earlier this year, my party published a policy on ageing which was founded on two principles. One is recognising the potential of our ageing population to contribute to and enrich our society in many diverse ways, given their talents, experience and wisdom, and the many years of healthy life expectancy which most can enjoy. The other is that their human rights as citizens must be affirmed and the many forms of discrimination on grounds of age against them must be exposed and eliminated.

Deputy Alan Shatter: I am responding to the Deputy because the Minister of State, Deputy Kathleen Lynch is not available. I listened with interest to Deputy Dooley. He is living in the fantasy world occupied by the rest of his Fianna Fáil colleagues. He seems to be in denial of his party's responsibility for the destruction of the economy and fiscal base of this State. He is also in denial of his party's responsibility for entering into the agreement necessary with the troika, and in denial of his party signing on to arrangements with the troika which require annually a substantial reduction in the funds borrowed by this State to pay for essential services, and a consequent need for a reduction in public expenditure. There is not a single item affecting a reduction in public expenditure to which the Fianna Fáil Party is in agreement. One wonders if, when they entered into the agreement with the troika, they had any particular knowledge of what they were doing or any idea of how they would implement it. If there are difficulties of a financial nature confronting some elderly people, the foundation for those difficulties was tragically laid by the gross ineptitude of the Government in which Deputy Dooley's party played a leadership role.

As regards the specifics of some of the issues the Deputy raised, the programme for Government has committed to completing and implementing the national positive ageing strategy in order that older people are recognised, supported and enabled to live independent full lives. While Ireland currently has a significantly younger population profile than most of the rest of the EU and a higher birth rate, demographic projections point to significantly greater numbers of older people living in the State in the years ahead. The population of Ireland is, therefore, projected to age rapidly within a relatively short time.

Traditionally, old age has been associated with retirement, illness and dependency. Policies and services that reflect this traditional view of society do not reflect today's reality. Indeed, most people now remain independent into very old age. Planning for ageing populations must take account of the fact that a range of factors impact on a person's health and quality of life as he or she grows older. Those factors include, for example, socio-economic status, housing, transport, education, employment and wider social interactions. This planning process also recognises that the challenges and opportunities to be presented by a population with growing numbers of older people demands responses from all sectors of society, including the individual, public, private, community and voluntary sectors.

The national positive ageing strategy will be a high level document outlining Ireland's vision for ageing and older people, and the national goals and objectives required to promote positive ageing. It will be an overarching, cross-departmental policy and implementation framework that will be the blueprint for age related policy and service delivery across Government in the years ahead. The strategy will set out a common framework for the development of operational plans by a number of Departments which will clearly set out their objectives relating to older people. Mechanisms designed to monitor the implementation of measures contained in operational plans will also be outlined in the strategy. The intention of the strategy is not to propose new service developments and it will not be prescriptive in relation to the specific actions that will be taken by individual Departments to promote positive ageing. Rather, it will set the strategic direction for Government policy on ageing into the future by outlining the priority areas requiring action. It will be a matter for individual Departments to identify how best they respond to the challenges posed by an ageing population.

A considerable amount of preparatory work has been completed and consultation with other Departments is ongoing. The final drafting of the strategy is proceeding within the Department of Health within the constraints of available staff and other priorities. It is the intention of the Minister of State, Deputy Kathleen Lynch, that a draft of the strategy will be brought to Government as soon as possible in the new year.

As Minister for Justice and Equality, I have been working with the Minister of State, Deputy Kathleen Lynch, in areas that have a cross-departmental impact. Contrary to the perspective painted by Deputy Dooley, the Minister of State is truly and totally committed to the completion of this strategy and is dedicated to the work she is undertaking. I have no doubt that when published, the strategy will make a difference and will have a significant impact well into the future.

Deputy Timmy Dooley: I thank the Minister for the detailed reply which was clearly prepared by the Department. As regards his earlier comments, he has become so impressed by his line of defence which seems to lay all blame at the door of the previous Administration, that he clearly did not even listen to what I said. Nowhere did I suggest a greater level of funding was required, but we are talking about a greater level of advanced planning and about developing a strategy for older people - a positive ageing strategy. That does not require the expenditure of additional moneys, nor does it require the Minister to lecture me on how we got to where we are. If I had the time, I might remind the Minister of the positions his party took over the past ten years and the approach he took in the preparation of those economic policies at the time. I might well be minded to alert him to some of the promises he made prior to the most recent general election. He has continued to make many such promises but has yet to deliver on them. This is one such promise.

It is a matter of reassigning resources within the Department. It is about the Government having a positive approach to active ageing. It is also about redeploying resources within the particular Department in order that there will be an appropriate strategy. It will have to take cognisance of the financial resources available. We will have another debate about that but let us develop a strategy based on facts so that when there is a budget, appropriate recognition can be given to the strategy. We can worry about funding it at a later stage, but let us have the facts.

I am pleased that this will be done early in the new year, but we need to get on with it. There is no point saying in September that we will have it in October and when it does not happen then, saying we will have it by Christmas. The Government cannot even get that bit of planning right. It is one thing saying something in advance of an election, but the Government has

now been in office for two years and it is still operating month by month. We now have a commitment that it will be early in the new year, but does that mean the first or second term? The Government should show some regard for the elderly who have been so important in building this State. The Government should recognise their experience and talent. They should publish the strategy and then we can have a debate about how it is financed. The Minister can talk about the IMF and I will talk about the promises that Fine Gael made, and we can have more fun.

Deputy Alan Shatter: I am very taken with the Deputy's concern for older people. Had there been some reasonable planning by him and his colleagues when they were in the previous Government, had they had some reasonable concern for the economic security of older people, had they had some genuine concern about ensuring that all the crucial services were kept in place and maintained, perhaps they would have dealt with matters with greater economic and fiscal responsibility and insight. Let us not be naive and think that the world started on 9 March 2011 or that the Deputy, his party and their history and economic record are of no relevance to the current plight of older people. I know quite a number of older people whose financial security was destroyed by the crass economic negligence and incompetence of the previous Government. However, when it comes to this particular strategy, there is a commitment to provide it and I reiterate that a considerable amount of preparatory work has been completed. There is a need to complete the cross-departmental consultation process that is taking place, because this is a strategy that will have affect a broad range of Departments and work is ongoing with regard to the strategy. I am advised that final drafting of the strategy is proceeding within the Departments.

However, one should also recognise there are constraints with regard to available staff in dealing with these matters, not just because of other priorities but because of the obligation on the Government to downsize the public service, an obligation derived from the agreement entered into with the troika by the Deputy's party and derived from the necessity to ensure the Government gets the public finances in order and reduces public expenditure. Consequently, if some matters take longer to come to fruition than may have been possible six or seven years ago, there is a reason for that. Regardless of whether it makes the Deputy uncomfortable, I am afraid the foundation reason for this is what occurred in the context of alleged economic and fiscal policy between the years 2000 and 2010, when the Deputy's party was in government. However, I assure the Deputy that the present Administration is committed to producing the strategy, which forms part of the programme for Government. The Minister of State, Deputy Kathleen Lynch, is doing everything possible to ensure it is published as early as is practicable in the new year, when the cross-departmental consultation process has been completed.

Taxi Regulations

Deputy Luke 'Ming' Flanagan: I have been contacted on this issue in recent months by several taxi groups, as well as by many individual taxi drivers, and they have expressed a lot of concern about it. One of their main concerns is they believe that rural taxi drivers have not been consulted properly. They have told me that many of their dealings were done in electronic format, that is, by e-mail, etc., and one taxi driver to whom I spoke just before entering the Chamber told me that many of his colleagues were not aware of these changes until a few weeks ago because the method of informing them was not a method they used to communicate.

They also have flagged a problem with the proposed prohibition on selling licenses. These

taxi drivers have handed over a lot of money for these licenses and I believe they should be allowed to pass them on. In addition, they have expressed concern regarding the branding of cars in rural areas. Many of these taxi drivers also use these cars for their personal use, there is not that much money around, and they believe this would not be a good idea in rural areas. They also have expressed concerns about the possibility of counterfeiting of this branding, as well as about its cost and on who will enforce it. In particular, they have expressed concerns regarding the credit card facilities, the installation of such electronic machinery in their cars and its prohibitive cost, as well as the cost of dealing with whatever institution one must deal. They consider that for the number of people who would avail of cards in their cars, it simply would not be worth their while. They would not have a problem with the proposal if it was, but they already are put to the pins of their collars in this regard. While they have not stated they are opposed to all of these proposals, they seek more time to talk about them. The people who have contacted me indicated they would like a further six months in order that there could be proper consultation in which they could talk to the Minister of State and explain their particular concerns regarding rural areas.

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): I thank the Deputy for raising this question. When I first came into office, one of my key priorities was to tackle rogue operators in the taxi sector. There has been unfair competition in the taxi market to date as those full-time professional drivers who do their business well have been obliged to compete with those who consistently flout the rules. The system of regulation needed to become much more robust and it will. Between the taxi review report, the new Taxi Regulation Bill and an increased effort from both the Garda and the National Transport Authority, NTA, I am confident a stop can be put to many issues that taxi drivers frequently raise. More than 13,000 vehicles have been checked this year by both the Garda and NTA enforcement officers and this effort will continue with measures on which I now will elaborate further.

Overall, the reforms arising from the taxi regulation review report concern the better enforcement of the taxi regulations, the improvement of standards and quality of transport service to customers, as well as the encouragement of an exit from the industry of those who operate in breach of the required standards and regulations. Many of the recommendations of the review report, once implemented, will facilitate the oversight of the industry by the National Transport Authority, which has responsibility for the regulation of the taxi industry under the Taxi Regulation Act 2003 and will assist the NTA officers and the Garda Síochána to enforce the taxi regulations.

Action 24 of the review report proposes strengthening of the collaboration between the Garda Síochána and the NTA to secure effective “on-street” enforcement of taxi regulations and to refocus the compliance activities of the NTA towards a greater level of “off-street” compliance and enforcement. Concerning on-street enforcement, there has been very good co-operation between An Garda Síochána and the NTA on enforcement issues this year and a substantial number of joint operations have been undertaken. The NTA is currently drafting an enforcement plan for 2013, which will be co-ordinated with An Garda Síochána’s policing plan for 2013 and this will assist with continued cooperation during 2013.

The introduction of taxi branding on taxis and wheelchair accessible taxis from 1 January 2013, in line with action 31 of the review report, aims to provide greater visibility and recognition of taxis, to reduce the potential for unlicensed vehicles to operate as taxis, as well as to promote greater professionalism in the industry. If, on renewal, a driver does not have the official branding, his or her vehicle licence will not be renewed. If a driver is caught on the street with

branding that is not official, he or she then will be liable to a €250 fine. In addition, as recommended under actions 21 and 25 of the review report, Garda powers are to be extended to allow members of An Garda Síochána to issue fixed charge notices in respect of additional small public service vehicle, SPSV, fixed charge offences. It is anticipated that in 2013, regulations will be made in this regard upon commencement of section 34 of the Road Traffic Act 2010.

The new legislation will provide for a much more sophisticated enforcement toolkit, which will include mandatory disqualification for life for serious criminal offences, mandatory disqualification for a period where life disqualification may be disproportionate, revocation or suspension of licences where appropriate, fines to be imposed by courts, fixed payment offences and a demerit scheme, that is, penalty points where repeated minor transgressions will lead to a temporary suspension, if necessary.

Other provisions in the Bill will enable the NTA to supplement its existing enforcement resources through service agreements, will allow authorised officers powers to inspect and examine the condition and roadworthiness of SPSVs and, under warrant, to enter a private dwelling for enforcement purposes, as well as to enable the NTA to establish and use cameras, CCTV and other apparatus at taxi ranks for enforcement and prosecutions. Further to the Government decision of 27 November, the Taxi Regulation Bill was published on 5 December and is to be introduced in the Seanad in January 2013.

Deputy Luke ‘Ming’ Flanagan: I am always somewhat bemused as to how the Minister responding knows the answer to the issues that are to be brought up, as well as all the details, before the Member who raised it has actually spoken in the Topical Issue debate. When the Minister of State was writing his response, he obviously knew all these things. The most interesting point made by the Minister of State was that the Government intends to crack down hard on rogue taxi drivers. That is a wonderful idea which should be executed. Before doing so, the Government should ensure there has been dialogue and consultation with everybody involved. I am sure the people to whom I have spoken have better things to do than ringing politicians; if everything was all right, they would not be doing that. They have concerns and the Minister of State’s comments will not satisfy them. These people are seeking another six months so they can be properly briefed on this, with time for any issues causing significant problems to be dealt with.

After this is done, Fine Gael - the party of law and order - can ram the law down their throats. Is there any chance the Government will speak with the interested parties in the mean time? If it does so, the process will be right, everybody will be on board and it will be a success. The Minister of State should provide a chance for dialogue with the people involved.

Deputy Alan Kelly: That started as a compliment but I do not know how it ended.

Deputy Luke ‘Ming’ Flanagan: It is Christmas, although I am an atheist.

Deputy Timmy Dooley: The Minister of State should be careful.

Deputy Alan Kelly: The last thing the Irish taxi industry needs is more time. Nobody has consulted more with the taxi industry and its drivers than I have. I get taxis all the time and I have met representatives of all the groups on multiple occasions. The taxi industry has many great people working in it but it is not an homogeneous group, and nothing I say will completely satisfy the entire group. We have consulted far and wide and met representatives, allowing for submissions. We formed a committee, which I chaired as intended. It met for a long time and

20 December 2012

formulated 46 recommendations. Within the laws that exist, which will be changed, and the regulations I have outlined, we have put forward many measures that will come through legislation. The most comprehensive taxi Bill in the history of the State will come before the Houses in January and there will be a reinforcement of regulations. With all those measures, we will change the industry substantially.

I sense from the Deputy's concern about an issue I feel strongly about myself. That is the issue of rural taxis. I ensured taxi drivers from outside the capital and other cities were involved with the committee; a gentleman from Kerry who drives a taxi full-time was part of the review group. I have met many groups from rural areas in the likes of Letterkenny, Portlaoise or various other locations around the country. I have always taken their issues on board, and I will continue to do so.

The last thing we need is more time with this issue. We must change the industry, which needs an overhaul never before seen. We must ensure that the people driving cars should be doing so. People will drive taxis tonight who should not be behind the wheel and they need to be taken out. It is as simple as that and I intend to follow that through. Standards must be maintained and brought to a certain level, and I will ensure this happens. A number of qualitative measures are required to improve the industry, which are listed in the review I spoke about. For example, communications at all levels can be improved.

I have the latest comprehensive industry update, which outlines the changes that will take effect on 1 January, 7 January and 31 January. It is good stuff. For example, anybody getting a taxi - particularly young people or ladies - will be able to see on their phone if the person driving a taxi should be doing so. People can do that even before they get into the car, meaning they can be safe and sure that the person is authorised to drive the taxi. There will be strong consequences for a driver or vehicle owner if the information is not up to date. There are a number of other issues and I will take the Deputy's concerns on board.

Ceisteanna - Questions

Priority Questions

Air Services

1. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport his intentions with regard to the State's holding in Aer Lingus; and if he will make a statement on the matter. [57533/12]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): The question relates to the Minister's intentions concerning the State's shareholding

in Aer Lingus. This shareholding is one of the assets included in the State asset disposal programme and the Government has agreed that the shareholding is to be sold at an appropriate time but only when market conditions are favourable and at an acceptable price to be agreed by Government. A steering group has been established to progress the sale and to examine the potential disposal options and the issues that may need to be addressed in the context of the disposal. The steering group is chaired by my Department and comprises representatives from the Department of Finance, the Department of Public Expenditure and Reform and NewERA.

NewERA continues to provide advice and expertise to the steering group. In view of the complexities involved in this particular disposal, NewERA has recently tendered for the appointment of an adviser to undertake additional analyses focused on evaluating the best options for a disposal in order to maximise the return for the Exchequer while protecting the interests of the consumer and preserving a competitive environment. As the Deputy will be aware, the European Commission is currently conducting a phase two investigation of Ryanair's offer for Aer Lingus under the EU merger control rules. The Commission's decision is due in early February 2013 and my Department continues to closely monitor the case. Irrespective of the outcome of that investigation, the Government has decided it is not in principle prepared to sell its shareholding in circumstances which could significantly impact on competition and connectivity in the Irish market. The Deputy is well aware of the Government's decision in the past few days not to sell this shareholding to Ryanair.

Deputy Timmy Dooley: I am aware of the Government's position in the last number of days. Nevertheless, I am somewhat troubled that it took six months to come to the conclusion that it would be the wrong decision for the State to dispose of its shareholding in Aer Lingus to Ryanair. I am concerned that this came on the back of an announcement or rather what appears to be leaked information provided to the Commission by Ryanair. This indicated how the airline could get around the anti-competitive nature of an amalgamation of the two airlines and outlined a notion of selling the Heathrow slots to British Airways. Quite correctly, that struck fear into the minds in the Government and force action on the issue. I am disappointed that it took so long for the Government to recognise the very real challenge that the amalgamation of the two airlines would pose to competition, air fare competitiveness and both business and tourism interests.

Is the Government confident this move will stop Ryanair acquiring Aer Lingus and has the Government had any indication from the European Commission about the likely outcomes? Will the Government stance carry much weight with the Commission? What is the reason for the delay in the decision? I do not understand why it took so long, and it gave some level of confidence to Ryanair that the Government was at least considering the matter. That was unhelpful.

I am somewhat troubled by the notion that the Government is still pursuing through NewERA the disposal of the shareholding. This is not about partisan politics. Ryanair is a very effective company, and although a trade sale to Etihad Airways or British Airways may seem helpful, it is certainly not beyond the capabilities of Ryanair to acquire the shareholding at a later stage. One could not be confident in just doing a trade sale to Etihad Airways or another international player as that will not ring-fence the very important competition which exists between Aer Lingus and Ryanair. I do not believe that will put the Heathrow slots beyond the attraction of other airlines.

Deputy Alan Kelly: I am glad the Deputy welcomes the Government's decision, which

was correct. In one sense the Government very much needed to consider the case and make the decision and there was no delay in making the announcement. No information is available on how the Commission will act and I would not have expected the Deputy to believe such information is available. We know there is a defined time for the decision and the Government has taken much cognisance of it.

6 o'clock

As I am sure the Deputy is aware, Ryanair has produced a package aimed at overcoming competition issues. It is solely a matter for the European Commission to make a decision on this issue within a specified timeframe. The Government will await the Commission's decision.

The Government made the correct decision in this matter for many of the reasons the Deputy outlined. I am glad the Opposition welcomed our decision. We will sell the State's share in Aer Lingus under our policy of disposing of State assets. This will be done at the opportune time and when it is of the greatest economic benefit to the country to do so. None of us can predict when that will be, however.

Deputy Timmy Dooley: The disposal of State assets is an important component of the Government's NewERA agenda. While it may be prudent not to sell the State's share in Aer Lingus to Ryanair today, it is possible that Ryanair will acquire the State's shareholding by a circuitous route or through a third party within a short period of its being sold. The share in Aer Lingus is of much more strategic value than the Government has indicated. For this reason, I will strongly oppose any decision to sell the 24% stake in the company.

Taxi Regulations

2. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport if he has met with the Department of Justice or An Garda Síochána to discuss the enforcement of taxi regulations and to aid in the crackdown on illegal drivers, cloned licences and other such offences. [57239/12]

(Deputy Alan Kelly): I met with the Garda Commissioner as recently as last month on the matter of enforcement. To enforce the taxi regulations, including pursuit of the offences mentioned in the Deputy's question, the role of the Garda Síochána is critical to support the work of the enforcement officers of the National Transport Authority, NTA, who have responsibility for nationwide enforcement in this regard.

Action 24 of the taxi regulation review report proposes strengthening the collaboration between the Garda and the NTA to secure effective on-street enforcement of taxi regulations and refocus the compliance activities of the NTA towards a greater level of off-street compliance and enforcement. In addition, it is recognised that the Garda will require and receive support from the NTA in targeting and co-ordinating aspects of enforcement activity. It will also require support from other agencies.

There has been very good co-operation between the Garda Síochána and the NTA on enforcement issues this year and a substantial number of joint operations have been undertaken. The NTA is currently drafting an enforcement plan for 2013 which will be co-ordinated with the Garda Síochána's policing plan for 2013. This will assist with continued co-operation dur-

ing 2013.

Deputy Dessie Ellis: I thank the Minister of State for his reply. Aside from the significant oversupply in the taxi industry, a number of people are operating illegal taxis, whether by using bogus licences or driving vehicles without proper certification. Action 31 of the taxi regulation review report proposes that all taxis be fitted with branding. It will be necessary to include in any such signage quick response or QR codes and possibly a sign indicating the county of origin of the vehicle. While I am not in favour of the Border, vehicles are travelling across the Border to pick up fares. If the county of origin of a taxi was clearly marked on taxi signage, it would help identify taxis entering areas from outside. I am not sure what is the position on this issue and I ask the Minister of State for his views on it.

More inspections are needed and I welcome the increased role of the National Transport Authority and the Garda Síochána in this area. In addition, the space is available for taxi ranks is not sufficient. Greater monitoring and enforcement of the regulations are required at the ranks.

Deputy Alan Kelly: I thank Deputy Ellis for his contribution. I note from previous contributions he has made and conversations I have had with him that he has a strong interest in the issue of taxis. The taxi Bill to be introduced in the Seanad early in the new year is the most comprehensive legislation on taxis in the history of the State. I hope everyone will support the Bill as it offers the only way forward for the taxi industry. It addresses every aspect of the taxi sector and empowers the National Transport Authority to implement and enforce taxi regulations.

I concur with many of the points Deputy Ellis makes. Enforcement is critical. Last year, 3,000 vehicles were inspected, a substantial number by any standards. However, further improvements can be made, which is the reason we are empowering the Garda to increase the number of inspections it carries out and impose on-the-spot fines. It will also be possible to suspend a taxi driver's licence where there is repeat offending.

I fully agree with the Deputy on the need to empower the National Transport Authority to use other monitoring tools at ranks, including CCTV. Serious issues, including criminality, arise at taxi ranks and must be addressed.

The Deputy makes a good point on door signage, which is crucial. It was the taxi regulation review group, rather than me, which decided that signage was necessary. Its recommendation was put to the taxi committee, which consists of taxi drivers, and it decided on the form the signage should take. We must examine the possibility of using roof signage to ensure drivers operate only in the areas in which they are licensed to operate. I am sick and tired of hearing stories of large numbers of taxis from outside the area arriving at major events such as the Galway Races or the Cork Jazz Festival to make a quick buck by taking the revenue of full-time local drivers. Action will be taken on this issue.

Acting Chairman (Deputy Peter Mathews): I remind Deputies that when a Minister concludes a reply four minutes remain for supplementary questions and ministerial replies. For this reason, I will let Deputies know when they have three or two minutes left.

Deputy Alan Kelly: It is coming up to Christmas and we are all feeling flaithiúlach.

Acting Chairman (Deputy Peter Mathews): I will not feel flaithiúlach until my job is done.

Regional Airports

3. **Deputy Luke ‘Ming’ Flanagan** asked the Minister for Transport, Tourism and Sport if he has examined the competitive impacts of the Shannon Airport support package on neighbouring airports such as Ireland West Knock and on the region it serves; his national aviation priorities; and if he will make a statement on the matter. [57537/12]

(Deputy Alan Kelly): In the first instance, there is not a support package in place for Shannon Airport. The Deputy will recall that the Minister for Finance announced in his recent budget speech that he will put in place measures to facilitate the construction of hangars and ancillary facilities that will be key to attracting additional aviation sector organisations. However, these are based on an appreciation of the contribution that aviation can make nationally. They are aimed at attracting investment to Ireland. These measures will be available on a national basis to all airports that wish to avail of them, including Knock and Shannon airports.

The Deputy also refers to aviation priorities and, reflecting this Government’s recognition of the importance of the sector, I can confirm that one of our priorities for 2013 is the development of a new civil aviation policy. This process was initiated at a conference earlier this month and will be pursued through 2013, leading to the adoption of a new policy in 2014. In that context, I expect the role of both State and regional airports to be fully explored.

The Deputy will be aware that the Government decided last month to proceed with the separation of Shannon Airport from the Dublin Airport Authority and merge it with a restructured Shannon Development to form a new integrated Shannon entity in public ownership. The order specifying 31 December 2012 as the date of separation of Shannon Airport from the DAA was executed last week following its approval by both Houses of the Oireachtas. The Government also decided to rationalise the tourism and enterprise support activities in the region by transferring Shannon Development’s functions in these areas to the relevant national agencies.

The Government was faced with two ailing companies in Shannon that are not realising their potential to make a contribution to the economy of the wider region. We are restructuring State-owned assets to make better use of them as a catalyst for the development of sectoral opportunities centred on the airport. I expect that these decisions will give rise to some degree of increased competition among Irish airports, including Knock airport. However, the aim is to increase the overall number of passengers to and from Ireland through increased efficiencies and the attraction of new aviation business that can have a beneficial national impact.

It should be noted that Knock airport and the other regional airports which are not owned by the State have been supported over the years under the regional airports programme, which is aimed at ensuring balanced regional development. Under that programme, Knock airport has received around €40 million since 1993. This includes funding for the public service obligation, PSO, air services, which, although paid directly to the airlines, also support the airport. More than €1 million is being provided this year to the airport, despite the difficult economic circumstances.

Deputy Luke ‘Ming’ Flanagan: I thank the Minister of State for his answer. There are serious concerns about statements made in recent weeks, including a statement in the national media on 31 March. Only one meaning could be taken from the Minister, Deputy Varadkar’s statement, namely, that the pesky airport at Knock would want to stop taking passengers from Shannon. The Minister stated:

If nothing was done for Shannon the airport stood in danger of being passed out by Knock airport in passenger numbers, despite a current gap of over 900,000 passengers. I think if the trends continue as they are it will happen because Shannon's numbers are already down 20 per cent this year and Knock is still growing.

The last sentence of his statement was interesting. He stated: "It is only a matter of time without a change in policy."

I would cheer on developments at Shannon Airport, but if that must be done at the expense of Knock airport, which is washing its face financially, it would not be good. A couple of weeks ago, Mr. Liam Scollan of Knock airport told a meeting of our transport committee that he had serious concerns about the quality and level of engagement with the Government. He stated:

We have met Minister Varadkar and his officials on numerous occasions, but our representations have not been afforded fair consideration [which is a fair claim]. In fact, the Minister is clearly on the record in both national and local media [as I have quoted] that Knock Airport was the problem for Shannon and that he intended to develop policies to rectify that.

This does not make sense. Knock airport should not be punished for being a success. It is one of the few aspects of the area where I live that has done really well. We have watched as Garda stations, post offices, etc. have closed down, but the airport is a beacon of hope. I am sure the Minister of State, Deputy Ring, agrees. The airport offers us phenomenal opportunities in terms of developing tourism in areas that not only are not saturated by tourism, but where tourism does not even exist. Instead of punishing Knock, why not develop a plan that helps all of the airports in question? The ones that work the best should be encouraged to thrive. Do not treat them as if they are some sort of nuisance to Shannon Airport. Doing so will not work for any airport.

Deputy Alan Kelly: I thank the Deputy for his comments. He has spoken on this issue previously and he holds his opinion passionately. Knock airport is not under threat. It is a fine, successful airport, a fact that must be acknowledged. The Deputy's references to statements by my colleague, the Minister, should be taken in context. Those comments were more a reflection on Shannon's situation than on Knock's success. Shannon is a world renowned brand. As an airport, its achievements are known worldwide. However, its passenger numbers have dropped considerably, and it was in this context the Minister commented.

A change in policy in respect of Shannon Airport was necessary. For this reason, the Government has put together a plan that should have been put in place many years ago. I advocated for such a plan for many years. There is some associated risk, but the plan will be a success and it will not be a threat to Knock airport. I am sure that the airport will achieve even more success. Shannon Airport has successfully won a number of new flights from the US and Europe. These do not compete with Knock but complement the services available there.

Deputy Luke 'Ming' Flanagan: Please ask the Minister to engage more. The relevant people feel he is not engaging. They are reasonable and good people.

Deputy Alan Kelly: I will take that message to him.

Acting Chairman (Deputy Peter Mathews): This morning, Sir Terry Wogan gave Shannon Airport a good boost on "The John Murray Show".

20 December 2012

Deputy Luke ‘Ming’ Flanagan: He is biased.

Deputy Michael Ring: He supported The Gathering.

Acting Chairman (Deputy Peter Mathews): He lives in Limerick even though he supports Shannon and County Clare.

Tourism Industry

4. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport the way he will help put in place a viable hotel industry; and if he will make a statement on the matter. [57534/12]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring) (Deputy Michael Ring): The Government has implemented a range of measures to support the tourism and hospitality industry, including hotels. VAT has been reduced to 9% on accommodation and restaurant services and this lower rate will continue throughout 2013. The visa waiver scheme is encouraging visitors from emerging markets to add Ireland to their trips when they are visiting the UK. Also, the halving of employers’ PRSI for those on modest wages has reduced the cost of employing people.

In 2013, the Government will spend almost €140 million through its agencies to support the tourism industry, to market tourism at home and abroad and to support product development. Fáilte Ireland also provides a range of business supports to tourism enterprises. These supports cover areas such as financial advice, business mentoring, productivity improvement, cost control, sales and marketing, e-business and customer care. They also assist tourism businesses to engage constructively with their banks. I am also glad to see that, in 2011, hotel room occupancy rose. Combined with better cost control, profits per available room before tax rose by over 22%.

In the context of recent budgets, the Minister, Deputy Varadkar, has signalled his intention to have further discussions with the Minister for Finance on the possible involvement of hotels in the extended employment and investment incentive scheme, EIIS, and the real estate investment trust, REIT, initiative. As the Deputy is aware, 2013 is the year of The Gathering and the tourism industry, particularly the hotel sector, will be able to benefit from it fully.

Deputy Timmy Dooley: I welcome the Minister of State’s reply. I acknowledge some of the work the Government has done in assisting the tourism industry at a particularly difficult time.

The Irish Hotels Federation, IHF, has published a policy document on the future of the hotel industry. As the Minister of State will be aware from his knowledge of that industry, the report was compiled by Dr. Alan Ahearne, who has considerable experience in the sphere of economics and possesses an understanding of the potential for growth. It is clear from the report that the hotel sector in particular is under strain. We all know of examples of hotels that were built in the wrong locations. In trying to survive, they dislocate business to their areas, offer rates that are lower than are commercially viable and are involved in the NAMA process, which will take time to be resolved. They are placing a strain on what might be referred to as “Mom and Pop” hotels, family-run businesses that did not get caught up in the crazy property game but

now find it almost impossible to compete.

While I accept that The Gathering will have an impact, it will not resolve the long-term issue. The situation will not be too bad in the large cities. There is a strong demand for hotels in Dublin in particular. However, hotels in the more peripheral and, one might say, scenic areas are under significant pressure.

Does the Minister of State believe that the EEIS could be extended to include restructured hotels? This move was called for by the IHF. As the Minister of State knows, hotels cannot qualify for the scheme currently. Would he consider recommending to the Minister for Finance, Deputy Noonan, the inclusion of an extension of this scheme in the Finance Bill? The qualifying investor fund specially designed for restructured hotels can be attractive for private investors, in particular foreign investment. There is some appetite in this regard. Another way to break the logjam in the hotel market would be to invest moneys from the National Pensions Reserve Fund, NPRF, in the dedicated hotel restructuring fund.

Dr. Ahearne's report outlines a number of positive initiatives. One recommendation called for the State to invest heavily, but I do not believe that would fly. Will the Minister of State comment in this regard?

Deputy Michael Ring: The Minister, Deputy Leo Varadkar, and I have met, both together and separately, with representatives of the Irish Hotels Federation on several occasions. The Deputy has rightly identified the serious problems facing people in the sector. As he knows, however, it is for the Minister for Finance to make a decision as to whether any of the initiatives to which he referred are included in the Finance Bill. It is an issue that the Minister, Deputy Varadkar, has taken up with the Minister for Finance, as have I.

I agree that debt restructuring is a major concern for hotel owners. Some of them would be coming into profitability in the next year or two were it not for their debt burden. The Deputy is also correct that this is a particular problem for hoteliers in rural areas as opposed to in the cities, where there has been significant improvement in occupancy rates. The recent initiative to reduce VAT and PSRI has proved successful in creating extra jobs in the sector. I acknowledge, however, that serious issues remain, including over-capacity and below-cost selling of bed nights. As I said, we are engaging with the Department of Finance in order to see what can be done. Ultimately, however, it is a matter for the Minister of that Department as to what specific measures are introduced.

North-South Ministerial Council

5. **Deputy Sandra McLellan** asked the Minister for Transport, Tourism and Sport if he will provide an update on discussions held on the 28 November 2012 of the North/South Ministerial Council meeting in Armagh on tourism and Tourism Ireland Limited; and if he will make a statement on the matter. [57752/12]

(Deputy Michael Ring): I attended the 13th meeting of the North-South Ministerial Council in tourism sectoral format in Armagh on 28 November. The Northern Ireland Executive was represented by Ms Arlene Foster, MLA, Minister of Enterprise, Trade and Investment, and Ms Carál Ní Chuilín, MLA, Minister of Culture, Arts and Leisure. Tourism Ireland's chairman, vice chairman and chief executive officer also attended.

The meeting provided a good opportunity to discuss tourism performance for the island of Ireland to date in 2012, including the overseas marketing highlights of the year. In terms of the future, Tourism Ireland's business plan for 2013 was discussed. We also had a very useful exchange on major tourism events and initiatives planned for next year. Obviously, our main focus is on The Gathering, while the focus in Northern Ireland will primarily be on Derry-Londonderry's designation as United Kingdom city of culture and the World Police and Fire Games which are being held in Belfast. A paper dealing specifically with the Great Britain market was also discussed. The work of the tourism recovery task force was welcomed and agreement made that the recommendations of the GB Path to Growth strategy will be implemented by Tourism Ireland in 2013 and beyond.

The meeting also provided me with the opportunity to invite the Ministers, Ms Foster and Ms Ní Chuilín, and their relevant officials to EU Presidency-related events we will be hosting next year. It was agreed to hold the next tourism sectoral meeting next spring.

Deputy Sandra McLellan: I thank the Minister of State for his reply. Tourism is specifically identified in the Good Friday Agreement as one of the key areas for North-South co-operation and consequently one in respect of which the North-South Ministerial Council meets in sectoral format. The aim of the council in this particular format is to make decisions on areas of common policies and approaches specifically as they relate to tourism. These include policies and actions to be implemented by Tourism Ireland, the body with responsibility for promoting the island of Ireland overseas as a tourist destination.

The previous meeting of the North-South Ministerial Council in tourism sectoral format took place on 25 January 2012. Among the issues on the agenda at the most recent meeting of the council, on 28 November in Armagh, were, as the Minister of State indicated, Tourism Ireland's business plan for 2013, major tourism opportunities North and South in 2013 and a review of this year's visitor numbers to the island of Ireland. Will he elaborate on some of the discussions that took place in regard to the business plan and the tourism opportunities?

The Minister of State mentioned the tourism recovery task force that was formed early in 2011 with the aim of ensuring growth in inbound tourism. It includes representatives of Fáilte Ireland, the Northern Ireland Tourist Board and Tourism Ireland and is expected to make recommendations to the council. Will the Minister of State provide specific details of the recommendations made for 2013?

Deputy Michael Ring: It was a great experience for me to attend my first meeting of the North-South Ministerial Council in tourism sectoral format. In particular, I was pleasantly surprised at the way in which participants worked so closely together. Both North and South, we are all aware of the importance of tourism to the island as a whole. We spoke about upcoming major events in the sector, including The Gathering, the World Police and Fire Games in Belfast next year and Derry's designation as the United Kingdom's city of culture for 2013. We also discussed the efforts being made to win back some of the British market. Despite a very successful 2012 in general, the reduction in the number of British visitors represented a weak link, particularly given that it is the most important market for both North and South. In addition, we discussed the business programme to be put in place for next year, which will include an aggressive marketing campaign in Britain to win back some of the visitors we have lost in recent years.

The most pleasant aspect of this discussion was the evidence of how well we are all working

together, the common denominator being our desire to attract people to the island as a whole. I was delighted to have the opportunity to engage in discussions with the Deputy's colleague, Ms Ní Chuilín. I have invited both Minister, Ms Ní Chuilín and Ms Foster, to participate in the major tourism conference that will take place from 7 to 9 March, inclusive, during Ireland's Presidency of the European Union. We hope to assist them in any way we can, and *vice versa*, in meeting our joint objective of attracting visitors to the island.

Other Questions

Penalty Points System

6. **Deputy John Browne** asked the Minister for Transport, Tourism and Sport the changes he plans to make to penalty points; and if he will make a statement on the matter. [57197/12]

(Deputy Alan Kelly): This year marks the tenth anniversary of the introduction of a system of penalty point offences in this country. Earlier this year, the Department undertook a review of the system to determine whether any changes would be appropriate. The finalised review was forwarded to the Joint Oireachtas Committee on Transport and Communications for its consideration.

Several adjustments to the current system were recommended. These include an increase in the number of penalty points for speeding, holding a mobile telephone phone while driving and seat belt offences from two, or four on conviction, to three and five, respectively. The review also included proposals to bring additional road traffic offences into the penalty points system. For some offences, such as using a vehicle without a test certificate, penalty points will apply rather than a direct summons to court.

The Minister accepted the recommended adjustments and primary legislation is now required to give them effect. It is intended, therefore, to introduce a road traffic Bill in the Oireachtas early in 2013, which will make the necessary provisions, with the intention being to publish the Bill in the new year. In the meantime, the general scheme can be viewed on the Department's website.

Deputy Timmy Dooley: I thank the Minister of State for his reply and assure him that Fianna Fáil will be happy to support the changes that are proposed. It is a positive aspects of politics in this country that road safety was not hijacked by any political party, with the previous Government receiving considerable support from the then Opposition for its efforts to develop an effective road strategy. In fact, one of the most positive achievements of the Legislature in the past ten years is the success we have had in terms of reducing incidents of death and injury on the roads and the consequent positive impact in terms of the treatment times within hospitals.

Having said that, it is incumbent on us, on an ongoing basis, to raise this issue in the House. It is only by keeping road safety always in the spotlight that we will continue to see an appreciable effect in terms of raising public awareness. It is particularly important as we head into

the Christmas period that people are especially mindful of the need to show due care and attention on the roads.

Deputy Alan Kelly: I could not agree more with the Deputy's last point. I also take on board his reference to efforts by previous Governments, in co-operation with the Opposition, in this vital area. We can never be complacent in this regard and must always seek to improve existing legislation. That is why, following on from the assessment of the Oireachtas committee, that the changes we are proposing will be introduced in the Bill to be published very early in the new year.

Deputy Mick Wallace: My colleagues and I have called for a public inquiry into allegations of malpractice in the administration of the penalty points system. Some people are very concerned about problems in the system in terms of what it is lawful to terminate and what is not. What is required is a review of the system surrounding the discretion the gardaí use and the policy and processes within the Garda to oversee the exercise of that discretion. We must examine what is and is not lawful to terminate, what criteria are used, if any, what process is used, whether reasons are set out, if there is a paper trail, what monitoring and oversight provisions exist and what review or appeal mechanism exists to ensure that this discretion is exercised fairly. It is alleged that there have been almost 100,000 terminations in the last five years. Only a public inquiry by a specially appointed independent individual can respond to these allegations and the serious concerns raised, in order to restore public confidence in the force.

Deputy Dessie Ellis: The penalty points system has contributed hugely to the number of lives that have been saved on the roads. I have a question about people who drive unaccompanied by a full licence holder. Section 54(c) must be activated, if I am not mistaken, and primary legislation is required. Will the Minister confirm that? Will he also comment on what is planned to deal with people who not display learner plates? Once again, I believe legislation will be required. What is planned to deal with the people driving under the influence of drugs, as opposed to driving under the influence of drink?

Deputy Luke 'Ming' Flanagan: On the penalty points system, earlier the Minister spoke quite passionately about how he intended to enforce the law for taxi drivers. That is very admirable. I hope he will be as quick to enforce the law when it comes to what is happening with the penalty points at present.

Deputy Alan Kelly: The Minister and I are aware of the claims regarding the alleged quashing of penalty points for road traffic offences. When provided with the documents the Minister forwarded a list of all the allegations to the Minister for Justice and Equality expressing his concern and asked that the matter be fully investigated. The Government believes the matter must be fully investigated. I understand the Garda Commissioner has ordered an investigation of the allegations under the direction of Assistant Commissioner John O'Mahoney. They are allegations at this stage, although many Deputies have commented openly on them in the media recently. However, it would not be appropriate to comment further until the investigation is complete and the Government makes a decision on how it will respond to the investigation. This issue is being taken very seriously and will be investigated thoroughly, as it must be.

On the questions asked by Deputy Ellis, if a learner driver drives without appropriate learner plates, they will receive penalty points and if they receive six penalty points, they will have their licence revoked. That is an important new change. There will be roadside testing for drugs and a process will be put in place to achieve that. There will be two stages in the process.

The first is to ensure that we can do roadside drug testing. Every Member would support that. At a later date we hope to be able to provide the mechanisms for doing that as well. Initially, we will carry out roadside testing. The Deputy asked some other questions and I will revert back to him on them.

Transport Policy

7. **Deputy Robert Troy** asked the Minister for Transport, Tourism and Sport the implication for transport policy in view of the fact that the proportion of commuters using cars to travel to work has risen from 57% to 69% over the past 30 years; and if he will make a statement on the matter. [57225/12]

32. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport in view of the most recent data from the Central Statistics Office which shows continued and marked increases in numbers commuting by car for both workers and school students, the measures he intends in order to reverse this trend over the lifetime of this Government; in particular, the initiatives he intends for the Greater Dublin Area, where 55% of commuters travel to work by car; the measures he intends to implement to reduce the numbers of school students travelling to school by car; and if he will make a statement on the matter. [57196/12]

Deputy Alan Kelly: I propose to take Questions Nos. 7 and 32 together.

According to the census in 2011 around 1.14 million people drove to work or were passengers in a car, representing 69% of commuters. That was very similar to 2006 when around 1.18 million people drove to work or were passengers in a car. Despite the fall in car commuting numbers, due to lower numbers in employment, car mode share was higher in 2011, standing at 69% of commuters compared to 66% in 2006, which I noted with disappointment. I was, however, heartened to note the cycling numbers, up from 36,000 in 2006 to 39,000 for people travelling to work, and up from 54,000 to 61,000 for travel to work and education. This increase, although from a modest base, reverses a long standing trend of fewer people commuting by bike.

This Government recognises the challenge ahead and remains committed to decreasing reliance on the private car. We are taking a two-pronged approach to improving sustainable commuting rates: investment in public transport and infrastructure to facilitate cycling and walking, allied to support for programmes to encourage people to make smarter travel decisions. In addition to funding for facilities or infrastructure to make smarter travel safer and more attractive to users, my Department funds a number of schemes to encourage smarter travel, including the travel element of the Green Schools programme, which is proving successful in securing behavioural change on the school run, a new Smarter Campuses programme and Smarter Travel Workplaces, which helps employers to bring smarter travel to their workplaces.

In the greater Dublin area, my Department works with the NTA to decrease reliance on private car use. Successful initiatives in the region include the dublinbikes scheme and continued investment in cycle lanes and pedestrian measures. The region is served by an extensive public transport network greatly improved by the roll out of RTPI and the Leap card over the last year. A reduction in car trips can only be achieved if we all make smarter travel choices. The Government will continue to focus on facilitating and encouraging people to consider using public transport or walking and cycling, where possible.

Deputy Timmy Dooley: The Minister set out the headline changes and is obviously disappointed with them. Obviously, much more must be done to develop a strategy to get more people out of the car. Since 1981 there has been a serious reduction in the number of people using buses. Some of that is due to the fact that as the economy improved there was a greater propensity for car ownership to increase. People liked the freedoms associated with that. The transformation of our road network also helped in terms of the reduction in gridlock. People considered it more convenient to use their cars. The Government should encourage people to use public transport to a greater extent, although this cannot be laid at the Government's door alone.

Changes are taking place now that are having an impact on the use of public transport. Obviously, it must be recognised by the Government that there is a social good associated with the modal shift away from the car to public transport. That brings me back to the discussion we had in the past about trying to restructure CIE and funding it adequately and appropriately. Before the Minister says so, I am aware that the previous Government reduced the level of subvention. The Minister is following through on that. This year he had to provide an additional €35 million. It will put a huge strain on CIE next year if it will have to manage without that sum and without having an overall restructuring. I am concerned that the immediate response to the cutback in subvention - and the same comment could be made to the previous Government - will be to reduce service and increase ticket prices. While those two actions might resolve the economic imbalance that exists within the State companies, they act as a very significant disincentive for people using public transport. The Minister will have to come forward with ways to mitigate the worst effects of having to increase fares and reduce service in order to retain the network during the recession so there will be an adequate and appropriate public transport service when the economy recovers.

Deputy Alan Kelly: I have taken the Deputy's comments on board. Everything is being done to ensure the public transport network is maintained and enhanced from a qualitative perspective, in particular, to make customer journeys a better experience, whether that is through WiFi, the RTPI, the leap card and many other adjustments. While I was surprised by some of the figures produced by the analysis, I was taken aback by those on cycling. Cycling is gaining huge popularity, particularly as a mode of travel to school and work. Anecdotally, cycling is being very much encouraged and it is progressing. The previous Administration helped in this regard with the provision of the tax scheme for bicycles and that has been maintained under this Government. We also need to see the end product from the funding in the smarter travel areas programme, active travel towns, the national cycle network and a number of other smarter travel initiatives and how they impact on these statistics in the years to come.

I am greatly encouraged by the response the Government has had to the call for private investors to come on board to roll out bike schemes in other cities. It is my ambition and that of the Government to introduce bike schemes in Galway, Cork, Limerick and Waterford. I look forward to a bright future in this regard.

Deputy Dessie Ellis: The Minister of State put the drop in numbers and the use of cars down to less employment but it is also down to the cut in the number of bus routes, which has been done for cost saving reasons but these services have been cut, in particular, in working class areas. In my area, for example, the 19 and 19A bus routes have been lost and this has been a bone of contention while in rural Ireland primary routes along which buses once picked up in villages such as Rooskey are no more. The number of routes has reduced and some of them have been given over to private companies. Increasing bus fares does not help either when they

should remain stable to attract passengers. The subsidies need to be maintained. The Government cannot keep cutting them because every other city in Europe subsidises its transport.

Deputy Alan Kelly: I acknowledge the Deputy is making these comments sincerely but if we were to do everything he said, Dublin Bus would not be sustainable. It is unfortunate that fares had to be increased modestly. The Network Direct project has been successful in many ways and I acknowledge people have issues with it. Nobody knows that better because they come to me as well. It was necessary to ensure from a financial point of view that Dublin Bus would be in a better position in the future. In some cases, many of the issues raised by resident groups around Dublin have been addressed and Dublin Bus has done a good job. The company is operating in a difficult environment and it is not always appropriate to make reference to the fact that routes have had to be cut or changes have had to be made. The company is doing so in the most modest way it can to ensure the least disruption and to ensure it can operate a service for the public in a positive way in the future. It will do that and it does an outstanding job.

Deputy Kevin Humphreys: I thank the Minister of State for his reply. He correctly pointed out the huge increase in the number of cyclists in urban areas and dublinbikes has played a major role in that but recent surveys have highlighted that a tiny minority of them break the law in a dangerous manner. Penalty points cannot be applied in these cases. Will he consider on-the-spot fines for cyclists who clearly breach the rules of roads both at traffic lights and on footpaths, which are becoming major urban issues? The former Minister for the Environment, Heritage and Local Government, Noel Dempsey, invested in a cycle route along the canal but cyclists blatantly ignore traffic lights and they will cause a serious accident. Will the Minister of State bring these issues to the senior Minister and ask him to consider an on-the-spot fines system in this regard?

Deputy Alan Kelly: The Deputy is passionate about these issues. He has spoken previously to me about them and I have some sympathy for his position. It is something we will examine in the future but there is no precedent for such fines. I have witnessed the same issues and, at certain times of the day, they could cause serious disruption.

Deputy Luke 'Ming' Flanagan: Will the Government consider a scheme I read about in the newspapers recently, which I did not think was serious at the time but it turned out it was? Swimming lanes have been developed on Regent's Canal in London in order that people can swim to work. Would the Government consider that after cleaning up the canals? One would want showers for the canals in Dublin.

Deputy Michael Ring: We have the water in the west.

Deputy Alan Kelly: That does not need a response.

Message from Seanad

Acting Chairman (Deputy Peter Mathews): Seanad Éireann has passed the Social Welfare Bill 2012 without amendment and has accepted the Appropriation Bill 2012 without recommendation.

Ceisteanna - Questions (Resumed)

Sports Capital Programme

8. **Deputy Sandra McLellan** asked the Minister for Transport, Tourism and Sport if he will provide a detailed breakdown in terms of amount received, location, and names of the clubs in disadvantaged areas who received funding in the 2012 round of the sports capital programme; and if he will make a statement on the matter. [57257/12]

12. **Deputy Jonathan O'Brien** asked the Minister for Transport, Tourism and Sport when the next round of funding will be available under the sports capital programme; the amount to be allocated; and if he will make a statement on the matter. [57263/12]

19. **Deputy Pearse Doherty** asked the Minister for Transport, Tourism and Sport if he will provide details of the clubs and organisations who do not own their own land and or do not have a long term lease who received funding in the first round of the sports capital programme 2012; and if he will make a statement on the matter. [57258/12]

Deputy Michael Ring: I propose to take Questions Nos. 8, 12 and 19 together.

I am glad to report that €10.2m or almost 40% of the value of recent local sports capital allocations was allocated to projects located in designated disadvantaged areas. I will supply the Deputy with a list of all of the allocations to projects in disadvantaged areas. There are no plans for another round of the sports capital programme at the moment but I hope that, if funding becomes available, it will be possible to do so in the future. Decisions on the features of that programme and the amount to be allocated will be considered in the context of the prevailing budgetary framework.

I do not have a list of allocations to clubs and organisation that do not own or have a long lease on the property they use and the creation of such a list would involve a disproportionate amount of time. However, I can confirm that clubs or organisations that did not own their land or did not have a long lease were able to apply for a modest capital grant of up to €25,000 to upgrade facilities this year. This is the first time the programme has been extended to such groups. In addition, applicants that were only seeking funding for sports equipment did not need to demonstrate evidence of title.

Deputy Sandra McLellan: I thank the Minister of State for his reply. I hope he will push hard for a second round of sports capital grants because a figure cannot be put on the value of them in the context of people's physical and mental well-being, the fight against obesity and even job creation. Research shows employed people are 50% more likely to participate in sport than those who are unemployed and, with regard to social disadvantage, there is a clear link between educational attainment and participation in sport. For example, those with a third level education are 3.2 times more likely to participate in sport than those with primary education only according to research in 2009. Prisoners in Ireland are 25 times more likely to come from and return to a seriously deprived area. Given almost 450,000 people are out of work and thousands of others are underemployed, it is imperative that the issue of equity is placed centre stage

when funding is allocated for sports projects. Moreover, there is a close link between sporting activity and good mental health and between obesity, poor diet and disadvantage. Will the Minister of State give an undertaking to embark on an information campaign regarding the sports capital programme targeted at clubs and organisations that work with disadvantaged people and in disadvantaged areas? A total of €4 million remains to be allocated for regional and national projects. Will he confirm whether any boxing clubs will benefit at regional or national level considering the fantastic performances of their boxers at the Olympic Games?

Deputy Michael Ring: I hope we can negotiate with the Department of Finance regarding another round of funding under the programme and I ask for the support of all sides in the House in this regard. When I came home from the Olympics, I got into some difficulty when what I was said was misinterpreted. I simply made the point that money spent on sport means the State will save money. It is estimated that 250,000 people could develop diabetes over the next ten years. If we have a healthier and fitter society, we will not need as many doctors, nurses and hospitals.

With regard to boxing and disadvantaged areas, 40% of allocations went to disadvantaged areas. In Dublin, I had more money than I needed. Given that more than 50% of projects in Dublin were marked invalid, we had enough money to accommodate every club that submitted a valid application. That did not happen in every other county so that I was not able to target more disadvantaged areas. The figure of 40% is the highest since the scheme began. This is an achievement because the whole point of the scheme is to target areas of disadvantage. I think we have succeeded in that.

The Deputy is correct in what she says about boxing. Last year when I came into office, and before the Olympic Games, I identified boxing as doing great work. Boxing clubs take in all sections of society, train them and look after them, and put great discipline into them. Before the Olympic Games, I put €1.2 million in place. The Irish Amateur Boxing Association distributes that money on my behalf. Boxing clubs do not have as many volunteer members as football or rugby clubs. Those who are there are busy training and working with young boxers and do not have the time to make applications to Sports Capital, county councils or whatever. The Irish Amateur Boxing Association targets clubs all over the country.

The two best things I spent money on since I became Minister of State are swimming pools and boxing clubs. I introduced a scheme to make it cheaper for pools to be run, and it has worked very well for local authorities. Deputy McLellan asked a straight question and I will give her a straight answer. I am going to do something for boxing in the new year. I have secured the money for a scheme for boxing, particularly because it did so well in the Olympic Games and our boxers did the country proud. Earlier today, I attended an event where Katie Taylor was named Irish Times Sportswoman of the Year. She has been a great ambassador. All our Olympic boxers did the country proud in London. They lifted the morale of the country. That is why I am targeting boxing again this year. They deserve it.

Deputy Sandra McLellan: I am delighted to hear that. I had the honour of watching Katie Taylor box on a couple of occasions. Her award is well deserved. She gave the country such a lift in the summer.

Deputy Mick Wallace: Wexford received €900,000 in capital sports grants. Given the money the Minister of State had at his disposal, that was fair enough. However, there is serious concern in Wexford, particularly among the soccer fraternity but also among the public in

general, that the distribution of the money appears to lack fairness. There is a feeling in Wexford that there may have been political interference, which is something we hoped we had left behind us.

Soccer is probably the biggest sport in the county and we got €40,000 out of the total allocation, which is less than 5%. Applications were submitted by 18 clubs and by the football league itself but only three clubs received funding, of €40,000 between them. This does not look balanced and there are some very disgruntled people in the county. The notion that there may have been political interference is a bit frightening.

If more funding becomes available in the next 12 months, I ask the Minister of State to consider the soccer clubs in a favourable manner. I realise that some clubs' applications were rejected for one reason or another. I have looked at some of the refusals. It appeared to me that one could refuse any application if one wanted to do so. The application rules are tight and it is difficult to meet the criteria. It was almost impossible to submit an application that was 100% perfect.

The Minister of State knows what I am saying.

Deputy Michael Ring: I do.

The first thing I did was to look at the scheme for the previous ten years and at areas that had done very well. I looked at areas that had done more than well, and I will not be political about that. On this occasion, I looked at areas that had done badly and I increased their funding by 20%. They were places like Carlow, Wicklow and other smaller counties. I left Leitrim alone because it has a small population and a small base of money. I did this on a *per capita* basis.

The Deputy is correct. Wexford got what it was entitled to get. Everyone was waiting to see if I would give Mayo one and a half times what I gave everywhere else. I did not. I gave clubs in Mayo, to the penny, what they were entitled to get, and I got into difficulty because of it. This week, the local paper in County Mayo is criticising me because I did not support this or that club. I could not satisfy everybody. I had €270 million worth of applications and €25 million to give out. I did it as fairly as I could.

We need to support and help clubs to understand the application rules. This does not just apply to ordinary people. I have had applications from professional people, such as solicitors, who still do not know the rules, or do not read them. If a club is applying for a State grant the State must get a charge on the club's property, and that property must be registered. Solicitors were sending the Department leases of six months, a year or five years. This time, for the first time, I said clubs that were applying for grants of €25,000 or less need not take a charge against a property. I allowed them to draw down funds without having their property registered. A grant of more than €25,000 is a major investment and in that case the State demands that the applicant submit a lease of 22 years plus one day. Solicitors continued to send leases of five or 15 years. Let me give an example. Applicants never had as much time to submit because I extended the closing date to 1 June, but one application came in with a lease that extended only to 15 July. It was already invalid by the time the application was sent. The solicitor then sent a new lease but it was for only 15 years. If he had read the guidelines he would have seen that the lease must be for 22 years and one day.

I did this as fairly as I could and distributed the money as equally as I could. I tried to look at every county and balance urban and rural, soccer, Gaelic and other sports. Deputy Wallace

sent me information about applications from County Wexford. They were invalid. In my own town of Westport, there is a soccer and a Gaelic club. The application from the Gaelic club was invalid, and I was criticised over that. I took no club out that was invalid. I asked the Department not to send me applications that were invalid. When one has a limited amount of money one cannot satisfy everyone.

Deputy Wallace is involved in football and in sport. We have tried to provide facilities for young boys and girls for the future.

Deputy Kevin Humphreys: I cannot see how the newspapers in Mayo could be at all critical of the Minister of State. I know he has been very fair.

The sports capital grants are important for communities and Dublin is grateful for what it has got. Clubs such as boxing clubs that are trying to develop in the city are working at a disadvantage. A number of grants are often required to create that infrastructure. I am delighted to see funding going to rural areas and I do not, for a second, say it should be reduced. Social infrastructure in rural areas gets €52 million through the Leader fund. All other avenues of funding for urban areas, including Cork, Limerick, Galway and Dublin, have been closed down. In the past, when we wanted to develop a boxing club or a community centre with sporting facilities we applied to the sports capital programme, the dormant accounts fund and several other schemes. All those areas have been closed off. Rural areas have access to the €52 million Leader funding, and this is welcome.

Can the Minister of State and his colleagues look at ways to fund deprived urban areas across the country, because we are losing out? The social infrastructure is falling into bad repair. We need to open up the funding that was closed off, and I understand why, by the previous Government. We must look again at the dormant accounts fund and other social funds that were there previously to allow urban Ireland to get back on its feet again.

Deputy Michael Ring: Deputy Humphreys is correct. I am pleased to have been able to help disadvantaged areas this time. I could have spent more money in Dublin but for the situation I have outlined.

7 o'clock

The Deputy is speaking my language. It greatly annoys me that every other Department wants to have responsibility for sport. Funding is scattered through the Department of Education and Skills, the Department of Health and the Department of the Environment, Community and Local Government. I agree with the Deputy and I have been complaining about this since I entered office. All of that funding should be allocated to the Department of Transport, Tourism and Sport, which should only deal with sport and nothing else. It is ludicrous that sport is dealt with in the other Departments. If it was all allocated through the Department of Transport, Tourism and Sport, we could target isolation, rural and urban areas and establish more schemes.

We must put more money into sport; it is money that is well spent. This was the first scheme since 2008 and it was a great achievement to get it up and running. I hope we can continue with this next year. Even if we do not have the money we had this year, if we have €20 million next year, it would be great to open it again. Those clubs that did not get any funding this time are at least validated but the clubs that were not validated should now get themselves validated, and get back into this. Four years was too long to leave clubs unable to make an application.

The Deputy is right about the divide between rural and urban areas. In Dublin, the local authorities provide a lot of facilities. In rural Ireland, that does not happen. I do not care; I like to see sporting facilities everywhere. We are far better investing money in sport than spending the much greater amount of money needed to keep a prisoner in jail. We are better off investing in boxing, which helps in the fight against antisocial behaviour.

I thank the volunteers because it is them who keep sport alive. They collect the money, train the young people and do the work and we do not thank them enough. We are bloody lucky in this country that we have so many volunteers who are prepared to give their time to support young people.

Deputy Timmy Dooley: I recognise the Minister of State has noted the fairness and equity with which the funding was distributed on a county by county basis. He is right; if we follow the per capita model, it is covered. There is a concern about the criteria that are used within a county. There was €900,000 for Wexford, and about the same for Clare. Some clubs that got nothing would feel their project was as good as the one that got €80,000 or another that got €40,000. At the end of the day someone must make a judgment call. Some clubs were annoyed that information seemed to be circulating days in advance. It was felt some clubs were being softened up, being told they would not make the grade, while others were told it was looking good. I know how politics works on the ground, some of it is based on the fly or on a hunch, while some is based on having a little information. Perhaps the Minister of State would reflect on the criteria used in terms of how the wash was moved from east to west and north to south.

Deputy Michael Ring: We are all political animals, let us not pretend we are not. One of Deputy Dooley's colleagues did something very simple. He looked at the website, picked every club in his area and wrote to me about each of them, making representations. He was going to get something right and hit the jackpot. In a county like Mayo, where there are €18.5 million worth of projects, there would always be people who would be disappointed. People would claim that Government Deputies did better. In Mayo, four out of five Deputies are from Fine Gael, and even then they were not satisfied.

I did the best I could. We were never going to get it right. Deputy Wallace was correct; there would always be disappointed people and others who got a grant. I could ask Deputy Dooley which projects in Clare he thinks should not have got money.

Public Transport

9. **Deputy Michael Moynihan** asked the Minister for Transport, Tourism and Sport if CIE has received the €36 million subvention announced in July 2012; and if he will make a statement on the matter. [57230/12]

(Deputy Alan Kelly): On 24 July, the Government decided to provide additional PSO funding of €36 million to CIE to ensure that the companies could continue to operate for the rest of 2012. This would bring the total PSO subvention for this year to €278 million, higher than the subvention level for 2010, and the fifth highest level of subvention ever. In November, €16 million of the additional subvention was paid by the National Transport Authority to CIE and the remaining allocation of €20 million was paid by the NTA to CIE last week.

Deputy Timmy Dooley: While that ties in with my earlier points, this is really about the

provision that has been made for last year in light of the €36 million that was needed this year. I accept the legislation was passed this week that will provide CIE with the capacity to borrow to a greater extent, and that will be helpful, but there is still real concern in Fianna Fáil and among the workers and those who use CIE services that in a deteriorating financial environment, the consumer will be hit on the double with increased ticket prices and reduced services, thereby further diminishing the quality of the network.

Deputy Alan Kelly: There is no doubt that 2013 will be a tough year for CIE. A certain level of funding is available and the Department must find the funding for the coming years. We have put in place a three year programme and next year CIE will receive €226 million. We are working closely with the company to ensure it can provide the services with that subvention in 2013. There are cost cutting measures across all of the CIE subsidiary companies. Irish Rail has already agreed to a number of cost cutting measures, while Dublin Bus and Bus Éireann are in negotiations at the moment. There are issues for Bus Éireann and the Department is watching that closely. I thank everyone in the Houses for the speedy passage of the CIE borrowings legislation that will allow us to increase its borrowing limit, which is necessary given the current environment.

It would be wrong not to say to everyone in the House with an interest in transport that 2013 will be a challenging year when it comes to CIE and its subsidiaries. We are working closely as a Department with the board of CIE and the chief executives of the three subsidiaries to ensure we can get through 2013 and get more passengers and cut costs, while looking at what other measures are possible to sustain the services we all need.

Deputy Timmy Dooley: Different people have different views on the importance of public transport. There is now significant competition in the market with the issuing of licences to some of the private bus operators between certain centres of population. That is putting significant pressure on CIE. As a Labour Party man, is the Minister of State satisfied that the Minister for Transport, Tourism and Sport is as committed to public transport as he is?

Deputy Alan Kelly: It is certainly Christmas time in here, that question was teed up. The Government is committed to public transport and I assure the Deputy that I work very closely with Deputy Varadkar on the issues he has raised.

We all know 2013 will be a challenging year but we are working with everyone every day to maintain services and ensure they are delivered in a satisfactory manner. The push needs to be to improve the customer experience to get more people to use the services. The additional use of RTPI and Wi-Fi helps to create a better customer experience for everyone using the services, which is crucially important. Measures will be continually undertaken to achieve that. There needs to be improvement in the commercial angle of CIE and how the individual three subsidiary companies commercially exploit their services. I have worked very closely indeed with CIE and its subsidiaries, even up until recently, to ensure that in 2013 there will be considerable changes and focus from the companies to ensure they commercially exploit their excellent facilities and services. Deputies should note, for instance, that Irish Rail has new offerings on its services across the country where those who book early get a concession. It is this kind of thing we need to promote in order to ensure more people use public transport.

Acting Chairman (Deputy Peter Mathews): I thank the Deputies for their questions, to the Ministers of State for their replies and to the staff for assisting us in the debate here this evening. I wish the Members a happy Christmas and a happy new year.

20 December 2012

Message from Seanad

Acting Chairman (Deputy Peter Mathews): Seanad Éireann has passed the Finance (Local Property Tax) Bill 2012 without amendment.

The Dáil adjourned at 7.10 p.m. until 10.30 a.m. on Wednesday, 16 January 2013.