

GOVERNMENT MEETING TUESDAY 28TH APRIL, 1998.

Taoiseach,

[REDACTED] (Item No. 1)
[REDACTED]
[REDACTED]

CENTRAL AND REGIONAL FISHERIES BOARDS: Report and Accounts 1996 (Item No.2)

There is an undertaking that future Reports and Accounts will be submitted and processed within a 6 month period. The audit on the Accounts for 1996 had not been completed at the time of publication, but the Boards have been instructed to ensure that outstanding accounts are audited before the end of this month.

The 1997 Report and Audited Accounts are to be submitted by end June of this year.

AN BORD UCHTÁLA: Reports 1996 and 1997 (Item No.3)

Two reports are submitted. The Board calls for a number of initiatives (e.g. a right of access to birth records etc) which are summarised at paragraph 4. The current position in relation to each of these items is outlined at paragraph 5.

[REDACTED]

AN POST: Annual Report and Accounts, 1997 (Item No.4)

Pre-tax profits of £13.9m are reported, as compared to £11.8 m in 1996.

DEVELOPMENTS IN THE EUROPEAN UNION: Fifty-First Report (Item No.5)

This is the routine, twice yearly report, submitted in draft for approval. Principal developments in the period June-December, 1997 were;

- the signing of the Treaty of Amsterdam
- the Special European Council on Employment, and
- Enlargement decisions taken at the European Council meeting in December.

Pages (VIII) and (IX) of the draft Report summarise these developments.

LIVE REGISTER: Monthly Report (Item No. 6)

This is the usual monthly report - to be submitted on Monday 27th, as is the norm. It is estimated that there will be a decrease of almost 3,000 on last month in actual figures - yet to be seasonally adjusted.

[REDACTED] Application for Industrial Grant (Item No. 7)

[REDACTED]

[REDACTED]

[REDACTED]

ECJ: Intervention in case, in support of Netherlands, re: the use of growth promoters in animals (Item No.8)

The Dutch regulations, which are similar to our own, are being challenged in the ECJ. If the case is lost, it will have implications for a number of pending prosecutions with the Minister for Agriculture and Food could not then proceed with.

[REDACTED]

GROUP OF STATES AGAINST CORRUPTION (GRECO): Adoption of Council of Europe Enlarged Partial Agreement Item No. 9)

This is being established to monitor observance of the 20 Guiding Principles for the fight against corruption, which was adopted by the Committee of Ministers in November, 1997.

The cost of participation is low - £3,000 approx per annum - and will be met from the existing budget of Justice, Equality and Law Reform.

PROGRAMME OF LOCAL CALL (1-890) ACCESS TO GOVERNMENT DEPARTMENTS AND OFFICES: Second Phase Implementation (Item No. 10)

The Minister for Finance is bringing Government up-to-date on the implementation of this programme, which is designed to support the quality customer service initiatives.

Eighteen further Departments/Offices will participate in this (the second) phase.

C & A SCHEME FOR CIVIL SERVICE: Appointment of Staff Panel Nominee to Arbitration Board (Item No. 11)

Mr. Kevin Duffy has resigned his position following his appointment as Deputy Chairman of the Labour Court. The staff panel have nominated Mr. Tom Wall to replace him.

The Minister for Finance proposes that the appointment should expire when the period of office of the other Board members expires i.e. 30 June, 1998.

FOOD SAFETY AUTHORITY OF IRELAND BILL, 1998 : Text (Item No. 12)

The Bill has been drafted on the basis of the Governments Decision of October last. It has been the subject of widespread internal consultation and had the benefit, unusually, of an interdepartmental group during this process.

PARTNERSHIP 2000: Implementation (Item 13)

The purpose of the Aide Memoire is to draw the attention of the Government to the contents of the Fifth Progress Report on Partnership 2000, which outlines progress on the implementation of each of the commitments in the Partnership. The Aide Memoire also refers to the intention to have each subsequent version of the Progress Report laid before the Houses of the Oireachtas in future.

[REDACTED]

PROTECTION OF CLASSIFIED INFORMATION: Report of Interdepartmental Committee (Item No. 14)

You are seeking Government approval for the implementation of the measures recommended in the Final Report of the Interdepartmental Committee on the Protection of Classified Official Information. The key recommendations are:

- the revision, as a matter of priority, of the Official Secrets Act;
- the introduction of a "top secret" classification to be used across Departments;
- the continuance of the current practice whereby former Ministers and Ministers of State may retain official documents;
- the establishment of an IT security group and an interdepartmental committee to develop work practices and procedures on the protection of classified information;
- the oversight of the implementation of the Report of the Committee.

The decision by the Director of Public Prosecutions not to proceed with a prosecution in relation to the unauthorised release of Northern Ireland material prior to the Presidential election is now in the public domain.

[REDACTED]

[REDACTED]

[REDACTED]

NATIONAL PENSIONS POLICY REPORT: Security Retirement Income (Item No.15)

It has been circulated late this evening and will be the subject of a further note.

It is a very comprehensive report.

PRACTICAL PREPARATIONS IN THE PUBLIC SECTOR FOR THE CHANGEOVER TO THE EURO: First Progress Report (Item No.16).

The Report indicates that progress is being made for transition to the Euro from 1 January, 1999 and each Department is working in accordance with a planned strategy.

Overall, the Report is to be welcomed and noted. The next report will be in July.

ARCHITECTURAL HERITAGE: Legislative, Financial and Administrative Proposals for strengthening protection (Item No. 17)



[REDACTED]

[REDACTED]

WESTERN DEVELOPMENT COMMISSION: Establishment of Western Investment Fund (Item No.18).

The memorandum proposes a revised, simplified model for the WIF, in terms of establishing it as a development fund rather than a primarily commercial investment fund, and also in terms of the categories of projects to be supported.

Government approval is also being sought for Exchequer funding of £25m over a six year period (1998 - 2003) with the amount of funding after 1999 to be subject to a review of the operation of the WIF and assessment of other sources of funding e.g. the EU.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] it would
be desirable to clear this item, one way or the other, perhaps at this meeting. I have also alerted the Department of Agriculture and Food to the situation reported to me.

SUSTAINABILITY OF IRELAND'S ECONOMIC GROWTH AND FUTURE POLICY ORIENTATION (Item No.19).

Finance are anxious that this item, which requires noting only, be cleared at this meeting. The Memorandum was submitted as a backdrop to Item No. 20 - 1998 Current Expenditure: Measures to offset emerging increases.

1998 CURRENT EXPENDITURE: Measures to offset emerging increases (Item No.20)

I am told that the Minister for Finance will move on this item on Tuesday.

[REDACTED]

MANAGEMENT AND MARKETING OF HERRING: Report of Task Force AND FISH PROCESSING SECTOR: Additional grant-aid support : (Item Nos. 21 & 22)

[REDACTED]

[REDACTED]

[REDACTED]

Supplementary Agenda

Kyoto Protocol to UN Framework Convention on Climate Changes: Signature subject to ratification

Foreign Affairs have told us to expect an item on this - probably on Monday.

[REDACTED]

[REDACTED] We have asked Foreign Affairs to provide us with briefing.

Luas

Public Enterprise expect to submit an Aide Memoire/Memo on this probably on Monday. We are told that both the Tánaiste and yourself have been fully briefed by the Minister for Public Enterprise.

Future Meeting(s)

For purpose of settling Ministerial diaries, it would be desirable to fix dates for further special Government Meetings, to be held during the months of May, June and July.

The attached appendix sets out a possible scenario for consideration. If you agree, this could be circulated at the meeting.

Two further matters to bear in mind

the annual Official 1916 Easter Rising Commemoration Ceremonies at Arbour Hill are on Wednesday 6 May at 10 a.m.

As Monday the 4th May is a Bank Holiday, it is a matter for consideration whether Government that week should be on Tuesday 5 May (Dáil not sitting) or on Wednesday 6 May, at say, 12 noon, after the Arbour Hill Ceremonies and before the House meets at 2.30 p.m.

24 April, 1998.

Government Meeting, 28 April, 1998

Supplementary Agenda - Note

Taoiseach,

Luas

We have arranged for the Consultants to give a presentation in the Sycamore Room at 10.30 a.m., following which Government will proceed to the Council Chamber to discuss and decide on the Item.

The Consultants will be put "on hold" near the Council Chamber in case any further clarifications are required.

We are anxious to avoid discussion by Government of the proposal in the presence of the consultants lest it lead to a public perception that the consultants are driving the decision process.

Absence of Minister for Foreign Affairs.

In the absence of Minister Andrews, it has been arranged by his office that Minister John O'Donoghue move the items he has on the Agenda, i.e. Nos. 5, 8 & 9.

A couple of late items have been received/notified for tomorrow's meeting, which were not included in Frank Murray's note to you on Friday:

Copyright (Amendment) Bill

Authorisation to draft this bill was given on 3 March 1998. It involves two substantive changes to the Copyright Act, 1963 (*increasing the level of penalties for copyright offences and strengthening the presumption of ownership of copyright in favour of plaintiff*).

The matter is urgent because it is an essential part of an arrangement between the Department of Enterprise Trade & Employment and the U.S. Trade Authorities, the object of which was to persuade the U.S. Authorities not to proceed with an infringement action against Ireland in the World Trade Organisation.

Civil Liability (Assessment of Hearing Injury) Bill, 1998

This arises from the Army Hearing Loss item discussed at the all day meeting.

This legislation, which will underpin the Department of Health report "the Green Book" is their recommended way to proceed in

GOVERNMENT MEETING TUESDAY 5th MAY, 1998.

Taoiseach,

Item No. 1

Commission of Charitable Donations and Bequests: Reports 1995 & 1996

In 1995, the value of the Common Investment Fund increased from £15.97m to £17.8m; and in 1996 it increased to £19.2m

*Work has commenced on a General Scheme of a Bill to deal with a situation which arose whereby the commissioners were unable to deal with an application for "Cy-Pres" in the case of a statutory charity. (Cy-Pres is the procedure applying funds to **the next nearest purpose** when the precise object to benefit is not clear or the mode of application of the fund is uncertain).*

Item No. 2

Finance (No. 2) Bill, 1998

The Bill implements the Bacon Report decisions in relation to Stamp Duty, Capital Gains and disallowability of interest for investors in Residential Property.

Approval is required on Tuesday to facilitate publication next week. We expect an advance draft memo on Friday, but the text is unlikely to be available until Tuesday morning - to be circulated at the table.

Item No. 3

Industrial Development (Amdt) Bill, 1998: General Scheme

Authorisation to draft was given last January of this year. The new agency (working title "Enterprise Ireland ") is to deliver a streamlined, client centred service through amalgamation and restructuring of An Bord Trachtala, Forbairt and the Services to Business function of FÁS.

One issue is the proposal to increase to £5m the aggregate grant threshold above which Government approval will be required in future. D/Finance say this would lead to a reduction in the order of 70% in cases coming to Government and suggest £4m as a compromise threshold.

Either figure would be appropriate - the issue is the level and extent to which Government would wish to be involved in the future.

Item No. 4
Light Rail Study

[REDACTED]

Item No. 5
1998 CURRENT EXPENDITURE: Measures to offset emerging increases

[REDACTED]

Item No. 6
FISH PROCESSING SECTOR: Additional grant-aid support
This was circulated for the special meeting on 20 April, 1998 without advance consultation

[REDACTED]

Supplementary Agenda

Year 2000

Minister of State Treacy is bringing to the attention of Government a Business Awareness Campaign on Year 2000 which he proposes to launch on May 6, 1998.

The brochure, attached to the aide memoire, will be circulated to Businesses both directly and indirectly through Industrial Development Agencies, County and City Enterprise Boards and Chambers of Commerce.

Minister Treacy takes the opportunity to recommend to Ministers that every suitable opportunity be used, particularly by inclusion in references in Speeches and Press Releases, to highlight the urgency of the issue and the need to take remedial action now, before it is too late.

Application for Industrial Grant

[REDACTED]

[REDACTED]

Dail Private Members Business: FG Bill re Sexual Offenders Registration Bill

The Justice, Equality and Law Reform aide memoire seeks Government approval to oppose this Bill at Second Reading next week. As their Minister won't be attending the meeting, they are to ask another Minister to take the item.

Protection of Classified Information/Review of Official Secrets Act

[REDACTED]

[REDACTED]

Self Employed and Social Welfare Pensions

[REDACTED]

The issue, which has been raised in the Dáil on a number of occasions, is that self-employed persons who entered social insurance in 1988 (when social insurance was extended to the self employed) but who were over 56 at the time may not qualify for old age contributory pension.

The Aide Memoire - to be circulated at the table - will outline the background and set out options.

We spoke to Finance about this item (which we have not yet seen) and they are aware of the issue. They would have preferred if normal procedures could have been followed as regards

consultation etc., but as Deputy O'Keeffe has a priority question down for next week they are prepared to let it go ahead. [REDACTED]
[REDACTED]

Programme for Local Government

Environment and Local Government have indicated that they will submit this on Friday - probably too late for circulation to Minister's Offices. They will send copies to the relevant Ministers independently.

Dermot McCarthy will be providing a separate note when the final version is received.

1 May, 1998

GOVERNMENT MEETING TUESDAY 12th MAY, 1998.

Taoiseach,

Item 1.

ESB: Annual Report and Accounts, 1997

A surplus of £160m, which substantially exceeds earlier expectations, is reported, attributable to

- the price rise in June/July 1997;
- growth in unit sales; and
- savings delivered by the competitiveness cost review,

amongst other things.

Despite the good performance, the ESB still wish to implement the third phase of a price increase which was part of the CCR agreement accepted by the previous Government. The Department are of the view that this is not warranted as it was based on projected profits of £31m in 1998. Profits will be at least £160m this year without a price increase.

[REDACTED]

Item 2.

INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF
TERRORIST BOMBINGS: Signature subject to Ratification.

The convention was opened for signature, in New York, from 12 January 1998 to 31 December 1999. There is an EU initiative that all EU states sign as soon as possible, to ensure that it enters into force as soon as possible.

Legislation providing for amendments to our criminal law, and extradition/mutual assistance codes to meet obligations created by the Convention obligations will be required before Ireland can ratify.

[REDACTED]

[REDACTED]

Item 3.

1998 PROGRAMME OF SPECIAL AND COMMEMORATIVE STAMPS:
Amendments and Approval of designs.

The Minister for Public Enterprise is seeking approval for addition to the programme of stamps, and for the designs of six stamps already approved for the programme. The designs are appended.

[REDACTED]

Item 4.

COMMISSION ON THE FAMILY: Report.

We understand that the Minister for Social, Community and Family Affairs has provided you with a separate note on this matter.

Publication of the voluminous report which is all that is sought, should be on the basis that this is without prejudice to the provision of resources to implement the very many recommendations involved.

Item 5.

Official Secrets Act, 1963: Assignment for Responsibility of Revision

[REDACTED]

[REDACTED]

Item 6

Programme for the Renewal of Local Government

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mr. Dermot McCarthy has provided you with a separate note on this matter.

Item 7

1998 CURRENT EXPENDITURE: Measures to offset emerging increases

[REDACTED]

We have no further information as to when the Minister for Finance proposes to take this item - now on the Agenda since early February.

Item 8

FISH PROCESSING SECTOR: Additional grant-aid support

This was circulated for the special meeting on 20 April, 1998 without advance consultation [REDACTED]

[REDACTED]

Supplementary Agenda

**Oil Pollution of the Sea (Civil Liability and Compensation)
(Amendment) Bill, 1998: Early Signature Motion**

Ireland's denunciation of the existing Conventions and Protocols take effect on 16 May, 1998, and so the Bill should be enacted by then.

As it is to finish in the Dáil on 14 May, early signature by the President is required to meet the above deadline.

Non Agenda

Dáil Recess

We understand, the intention is that the Dáil, rise on Thursday 2 July, 1998 and resume on Wednesday 30 September, 1998.

This is to facilitate the commencement of building work to provide new accommodation for Deputies on the College of Art site.

Transfer of the EU Food and Veterinary Office to Grange

At the Dublin European Council in December 1996 it was finally agreed that this Office would be located in Grange. Subsequently it was settled that the Irish authorities would arrange for the construction of accommodation for the Commission's staff at the site in Grange (owned by Teagasc). President Santer and the then Taoiseach attended a ceremony at the site in April 1997 to mark the commencement of site work.

Accompanied by Mr. Eoin O'Leary from this Department I met a deputation from the Commission today which included Mr. Horst Reichenbach, Director General for Consumer Policy together with Mr. Peter Prendergast, Director in that area, at their request to discuss the up to date position. The deputation attempted to reopen the location of the Food and Veterinary Agency in Grange on the basis that they had various difficulties with this site. A detailed note on the meeting is in course of preparation. It was clear that the EU side would strongly prefer if the Office continued to be located in Dublin.

In response we indicated, on behalf of the Government, that it would not be possible to change the location of the Office. We pointed out that the facilities planned for the site were drawn up in full and close consultation with the Commission staff concerned to meet their own requirements. Serious credibility as well as political difficulties would arise if the Government sought to resile from the decision already reached particularly when the project had been formally inaugurated in April of last year by the then Taoiseach and President Santer.

Following further discussion the Deputation agreed to withdraw their representations on this aspect. I have so advised the Minister for the Environment who spoke to me about the matter en marge of last Tuesday's Government meeting.

[REDACTED] Other issues raised by the delegation are being pursued with OPW and with the Department of Education and Science in the normal way.

Next Meeting

There will be no Dáil sittings in the week commencing Monday 18 May, 1998. You will be in the US/Geneva from 17th May to 19th May. Consideration will need to be given to Government going ahead on either Tuesday 19th or Wednesday 20th May, 1998.

[REDACTED]

8 May, 1998