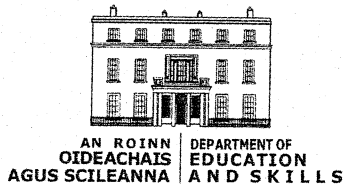


An Roinn Oideachais agus Scileanna
Bóthar Phort Laoise
An Tulach Mhór
Co. Uíbh Fhailí
R35 Y2N5



Department of Education and Skills
Portlaoise Road
Tullamore
Co. Offaly
R35 Y2N5

Ms Sharon O' Malley,
Cunneen & McCarthy Solicitors,
17 Upper Pembroke Street,
Dublin 2.

22 February 2016

Dear Ms O' Malley,

Your letter dated 21st January to Minister Damien English on behalf of your client the Federation of Transport Operators, instructed by Mr John Dunne, Director has been referred to me for reply.

The Department is currently engaged in dialogue with the Commission arising from the decision referred to, and this engagement is continuing. In light of this, the Department will make no further comment on the matter at this time.

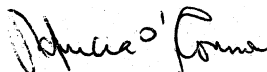
As your client is aware, administrative arrangements are in place between this Department and Bus Éireann since 1968. These arrangements were updated in 1975 in respect of school transport services.

As your client is also aware, these arrangements were the subject of a High Court challenge in 2011/2012 and the judgement on 23rd October 2012 found decisively in favour of this Department. The judgement is the subject of an appeal to the Court of Appeal which was heard recently and a judgement on the appeal is awaited.

It is the case that Bus Éireann procures c.90% of school transport services and complies fully with all relevant public procurement requirements in respect of this. Please see the reply from Minister English on 9th November 2015 for further details.

It is not the intention of the Minister or the Department to establish an oversight/appeals body to oversee that procurement process.

Yours sincerely,



Patricia O' Connor

Principal Officer.