



SEANAD ÉIREANN

**AN BILLE ÚDARÁS IOMPAIR BHAILE ÁTHA CLIATH 2008
DUBLIN TRANSPORT AUTHORITY BILL 2008**

**LEASUITHE TUARASCÁLA
REPORT AMENDMENTS**

SEANAD ÉIREANN

AN BILLE ÚDARÁS IOMPAIR BHAILE ÁTHA CLIATH 2008 —AN TUARASCÁIL

DUBLIN TRANSPORT AUTHORITY BILL 2008 —REPORT

*Leasuithe
Amendments*

**Government amendments are distinguished by an asterisk.*

- *1. In page 12, line 23, to delete “*section 24, sections 36 to 40 and section 80*” and substitute “*section 24 and sections 36 to 40*”.
2. In page 12, between lines 40 and 41, to insert the following:
“(c) the borough of Drogheda and”
—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*
- *3. In page 14, line 19, to delete “sustains” and substitute “promotes”.
- *4. In page 14, line 33, to delete “and” and substitute the following:
“(d) promote increased recourse to cycling and walking as a means of transport, and”.
5. In page 15, between lines 5 and 6, to insert the following:
“(ix) development and implementation of a cohesive cycling and pedestrian strategy.”
—*Senators Paschal Donohoe, Frances Fitzgerald.*
- *6. In page 15, to delete line 45 and substitute the following:
“(f) demographic, economic, social, travel and transport trends in the GDA,”.
7. In page 16, line 3, after “*versa*” to insert “and within the GDA”.
—*Senators Paschal Donohoe, Frances Fitzgerald.*
- *8. In page 16, line 15, after “with” to insert “and consider the views of”.
9. In page 16, line 15, after “with” to insert “and have regard to the proposals of”.
—*Senators Paschal Donohoe, Frances Fitzgerald.*
- *10. In page 16, line 20, after “GDA” to insert the following:
“and shall invite written public submissions on the strategy”.
11. In page 16, line 20, after “GDA” to insert the following:
“and in particular shall invite written public submissions on the transport strategy”.
—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

12. In page 16, to delete lines 45 to 48 and in page 17, to delete lines 1 to 3 and substitute the following:

“(12) The Minister may, in relation to a draft transport strategy submitted to him or her—

- (a) approve the draft,
- (b) approve it with modifications,
- (c) instruct that it be resubmitted to him or her in a modified form for approval, or
- (d) refuse to approve it.

In all cases the Minister shall present the draft transport strategy to a Committee of the Oireachtas for approval.”.

—*Senators Paschal Donohoe, Frances Fitzgerald.*

*13. In page 18, line 6, after “with” to insert “and consider the views of”.

*14. In page 18, line 8, after “GDA” to insert the following:

“and shall invite written public submissions on the plan”.

15. In page 18, line 8, after “GDA” to insert the following:

“and in particular shall invite written public submissions on the integrated implementation plan”.

—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

16. In page 18, between lines 30 and 31, to insert the following:

“(2) The chief executive of the Authority may attend at meetings of the Authority and speak but shall not be a member of the Authority.”.

—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

17. In page 18, to delete lines 33 to 35.

—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

18. In page 18, line 43, to delete “from” and substitute the following:

“one of whom shall be an elected member of a local authority in the GDA nominated by local authorities in the GDA acting jointly, and the others being”.

—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

19. In page 19, line 2, after “administration” to insert the following:

“at least three of whom shall be members of Public Transport Authorities such as C.I.E., Irish Rail and Dublin Bus”.

—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

20. In page 19, between lines 2 and 3, to insert the following:

“(3) On the election of the person who is directly elected to the position of Mayor of Dublin, or such other comparable position, that person, and their successors, shall be the Chairperson of the Authority for such period as they hold the office of Mayor.”.

—*Senators Paschal Donohoe, Frances Fitzgerald.*

21. In page 21, to delete lines 9 to 14 and substitute the following:

“(a) one manager of a local authority within the GDA,

(b) 2 members of local authorities within the GDA in addition to the 4 members referred to in *paragraph (d)*.”.

—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

22. In page 27, between lines 21 and 22, to insert the following:

“(5) The Authority shall be required to provide an account of the continuing necessity for the subsidiary to remain in being on the expiration of two years from the date of its establishment.”.

—*Senators Paschal Donohoe, Frances Fitzgerald.*

23. In page 32, between lines 11 and 12, to insert the following:

“(6) Pending the designation of the Authority for the purposes of public access to disclosures under any other statutory code, a disclosure under this section or *section 36* or *37* shall be recorded in a register together with particulars of any interest of members of the Authority or persons to whom *section 36* or *37* applies, and the register shall be available to public inspection during office hours.”.

—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

***24.** In page 34, line 23, after “Parliament,” to insert “or”.

***25.** In page 34, lines 27 and 28, to delete

“or

(d) becomes a member of a local authority,”.

—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

***26.** In page 35, lines 19 and 20, to delete “or a member of a local authority”.

27. In page 36, to delete line 14.

—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

28. In page 43, between lines 3 and 4, to insert the following:

“(d) Any new such public service contract within the great Dublin area shall be offered first to Dublin Bus and or Bus Éireann.”.

—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

29. In page 43, line 18, to delete “5 years” and substitute “10 years”.

—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

30. In page 43, lines 22 and 23, to delete “unilaterally make amendments to such contract” and substitute the following:

“can amend such direct award in objectively justified cases and in a proportional manner”.

—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

31. In page 43, line 26, after “services” to insert the following:

“in objectively justified cases and in a proportional manner”.

—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

32. In page 45, after line 43, to insert the following:

“but any such provision must expire after two years from the commencement of such service or on a date to be specified by the Minister on notice to the Houses of the Oireachtas.”.

—*Senators Paschal Donohoe, Frances Fitzgerald.*

33. In page 51, after line 48, to insert the following:

“(9) The Authority may require private bus operators to provide off street parking for their vehicles.”.

—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

34. In page 51, after line 48, to insert the following:

“(9) The Authority shall require private bus operators to provide off street parking for their vehicles.”.

—*Senators David Norris, Joe O'Toole.*

***35.** In page 53, line 2, after “with” to insert “and consider the views of”.

***36.** In page 53, line 5, after “GDA” to insert the following:

“and shall invite written public submissions on the plan”.

37. In page 53, line 5, after “GDA” to insert the following:

“and in particular shall invite written public submissions on the traffic management plan”.

—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

38. In page 61, between lines 18 and 19, to insert the following:

“(7) Documents subject to legal professional privilege shall not be liable to production under this section.”.

—*Senators Brendan Ryan, Alex White, Michael McCarthy, Phil Prendergast, Dominic Hannigan, Alan Kelly.*

***39.** In page 62*, between lines 20 and 21, to insert the following:

“(3) Compliance by a person with a direction does not give rise to a breach of any enactment, other rules of law or, in the case of a company any provision contained in the memorandum and articles of association of that company. No action or other proceedings lie or are maintainable against a person as a result of such compliance.”.

[* *This page number refers to the re-printed pages as circulated on 14 May 2008*]