



SEANAD ÉIREANN

**AN BILLE UM CHEARTAS COIRIÚIL (FAIREACHAS) 2009
CRIMINAL JUSTICE (SURVEILLANCE) BILL 2009**

**LEASUITHE COISTE
COMMITTEE AMENDMENTS**

SEANAD ÉIREANN

AN BILLE UM CHEARTAS COIRIÚIL (FAIREACHAS) 2009 —AN COISTE

CRIMINAL JUSTICE (SURVEILLANCE) BILL 2009 —COMMITTEE STAGE

Leasuithe Amendments

SECTION 1

1. In page 4, line 31, after “of” to insert “chief”.

—*Senator Eugene Regan.*

SECTION 4

2. In page 6, subsection (1)(b), line 11, after “or” to insert the following:

“to investigate and/or gather intelligence on gangland crime, or”.

—*Senator Eugene Regan.*

SECTION 5

3. In page 7, subsection (4), line 21, to delete “privilege” and substitute the following:

“legal professional privilege or any other privilege recognised by law”.

—*Senator Eugene Regan.*

4. In page 7, subsection (7), line 38, after “place” to insert “and to interfere with that place”.

—*Senator Eugene Regan.*

SECTION 7

5. In page 9, subsection (8), line 26, after “granted.” to insert the following:

“Where the surveillance is to be carried out at or in a private dwelling, it shall not be carried out for more than 24 hours from the time at which the approval is granted.”.

—*Senator Ivana Bacik.*

6. In page 9, subsection (9), line 29, after “hours” to insert “, or, as the case may be, 12 hours”.

—*Senator Ivana Bacik.*

7. In page 9, subsection (10)(a), line 32, after “hours” to insert “or, as the case may be, 12 hours,”.

—*Senator Ivana Bacik.*

SECTION 8

8. In page 10, subsection (1), line 17, to delete “superior officer” and substitute “Judge of the District Court”.

[SECTION 8]

—*Senator Eugene Regan.*

9. In page 10, subsection (1), line 18, after “section” to insert the following:

“, in cases of urgency where the provisions of *section 7(2)* apply”.

—*Senator Ivana Bacik.*

10. In page 10, subsection (2), line 20, to delete “superior officer” and substitute “Judge of the District Court”.

—*Senator Eugene Regan.*

11. In page 10, subsection (3), line 33, to delete “superior officer” and substitute “Judge of the District Court”.

—*Senator Eugene Regan.*

12. In page 10, subsection (6), lines 46 and 47, to delete all words from and including “A” in line 46 down to and including “section” in line 47 and substitute the following:

“When an approval under this section is granted, a superior officer of the member or officer referred to in *subsection (1)*”.

—*Senator Eugene Regan.*

SECTION 12

13. In page 15, lines 27 to 31, to delete subsection (1) and substitute the following:

“(1) The Minister shall invite a retired judge of the High Court to undertake the duties specified in this section and, if the invitation is accepted, shall designate the judge for the purposes performing those functions.”.

—*Senator Eugene Regan.*

SECTION 17

Section opposed.

—*Senator Eugene Regan.*