



DÁIL ÉIREANN

**BILLE NA gCÚIRTEANNA AGUS NA nOIFIGEACH CÚIRTE
2009**

COURTS AND COURT OFFICERS BILL 2009

**LEASUITHE COISTE
COMMITTEE AMENDMENTS**

DÁIL ÉIREANN

BILLE NA gCÚIRTEANNA AGUS NA nOIFIGEACH CÚIRTE 2009 —AN ROGHCHOISTE

COURTS AND COURT OFFICERS BILL 2009 —SELECT COMMITTEE

Leasuithe Amendments

SECTION 5

1. In page 4, line 16, to delete “section 6;” and substitute the following:

“*section 6*, or a person who assumes the duties of a holding area officer under *section 11(6)**.”

—An tAire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí.

[**This is a reference to the subsection proposed to be inserted by amendment number 5.*]

SECTION 7

2. In page 4, line 39, after “person” to insert the following:

“who is lawfully in the custody of the Garda Síochána”.

—Pat Rabbitte.

SECTION 8

3. In page 5, subsection (1)(b)(i), line 8, to delete “person” and substitute “governor”.

—An tAire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí.

SECTION 9

4. In page 5, before section 9, to insert the following new section:

“Consequences of
placement in
temporary custody.

9.—(1) A prisoner who is placed in temporary custody under *section 6(1)* shall be deemed, for the duration of the placement, to remain in the custody of the governor in whose custody he or she was before being so placed.

(2) A person who is placed in temporary custody under *section 6(2)* shall be deemed, for the duration of the placement, to remain in the custody of the Garda Síochána.”

—An tAire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí.

[*Acceptance of this amendment involves the deletion of section 9 of the Bill.*]

[SECTION 11]

SECTION 11

5. In page 6, between lines 33 and 34, to insert the following subsection:

“(6) Where *section 6(1)* applies, a member of the Garda Síochána who is of a higher rank than the holding area officer may authorise the transfer of the powers and functions of that holding area officer under this Part to another member of the Garda Síochána, and that other member shall assume those powers and functions.”.

—An tAire Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí.