

*Dé Máirt, 6 Iúil, 2004*  
*Tuesday, 6th July, 2004*

2.30 p.m.

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**ORD GNÓ**  
**ORDER OF BUSINESS**

18. An Bille um Aerfoirt Stáit 2004 — Ordú don Tuarascáil.  
State Airports Bill 2004 — Order for Report.
19. (l) An Bille um Chosaint Mháithreachais (Leasú) 2003 [*Seanad*] — Ordú don Tuarascáil.  
(a) Maternity Protection (Amendment) Bill 2003 [*Seanad*] — Order for Report.
20. An Bille um Chomhlachas Forbartha Idirnáisiúnta (Leasú) 2003 — Ordú don Tuarascáil.  
International Development Association (Amendment) Bill 2003 — Order for Report.

**GNÓ COMHALTAÍ PRÍOBHÁIDEACHA**  
**PRIVATE MEMBERS BUSINESS**

33. An Bille um Pobail Inchothaithe 2004 — An Dara Céim.  
Sustainable Communities Bill 2004 — Second Stage.

**I dTOSACH GNÓ PHOIBLÍ**  
**AT THE COMMENCEMENT OF PUBLIC BUSINESS**

*Billí ón Seanad : Bills from the Seanad*

1. An Bille um Shaoire Uchtaíoch 2004 [*Seanad*] — An Dara Céim.  
Adoptive Leave Bill 2004 [*Seanad*] — Second Stage.

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2. An Bille um Dhlí na Farraige (Píoraídeacht a Chur faoi Chois) 2001 [*Seanad*] — An Dara Céim.  
Law of the Sea (Repression of Piracy) Bill 2001 [*Seanad*] — Second Stage.

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3. An Bille um Sheirbhísí Uisce 2003 [*Seanad*] — An Dara Céim.  
Water Services Bill 2003 [*Seanad*] — Second Stage.

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4. An Bille um Fhorghníomhú Pianbhreitheanna a Aistriú 2003 [*Seanad*] — An Dara Céim.  
Transfer of Execution of Sentences Bill 2003 [*Seanad*] — Second Stage.

*Billí a thionscnamh : Initiation of Bills*

*Tíolactha:*  
*Presented:*

5. An Bille um Banc Forbartha Chomhairle na hEorpa 2004 — Ordú don Dara Céim.  
Council of Europe Development Bank Bill 2004 — Order for Second Stage.

Bille dá ngairtear Acht do dhéanamh socrú maidir le ceadú théarmaí an Chomh-aontaithe um Banc Forbartha Chomhairle na hEorpa agus do dhéanamh socrú i dtaobh nithe (lena n-áirítear íocaíochtaí) a bhaineann leis an gComhaontú sin.

Bill entitled an Act to provide for the approval of the terms of the Agreement for the Council of Europe Development Bank and to provide for matters (including payments) related to that Agreement.

— *An tAire Airgeadais.*

6. An Bille um Thrácht ar Bhóithre 2004 — Ordú don Dara Céim.  
Road Traffic Bill 2004 — Order for Second Stage.

Bille dá ngairtear Acht do leasú agus do leathnú na nAchtanna um Thrácht ar Bhóithre 1961 go 2003 agus do leasú an Achta um Údarás Áitiúla (Maoir Thráchta) 1975 agus an Achta um Rialáil Tacsaithe 2003.

Bill entitled an Act to amend and extend the Road Traffic Acts 1961 to 2003 and to amend the Local Authorities (Traffic Wardens) Act 1975 and the Taxi Regulation Act 2003.

— *An tAire Iompair.*

7. An Bille fán Údarás um Thástáil agus Caighdeáin do Thiománaithe 2004 — Ordú don Dara Céim.  
Driver Testing and Standards Authority Bill 2004 — Order for Second Stage.

Bille dá ngairtear Acht do dhéanamh socrú maidir le comhlacht a bhunú ar a dtabharfar an tÚdarás um Thástáil agus Caighdeáin do Thiománaithe nó, sa Bhéarla, *The Driver Testing and Standards Authority*, do mhíniú a fheidhmeanna agus do dhéanamh socrú i dtaobh nithe comhghaolmhara.

Bill entitled an Act to provide for the establishment of a body to be known as An tÚdarás um Thástáil agus Caighdeáin do Thiománaithe, or in the English language as the Driver Testing and Standards Authority to define its functions and to provide for connected matters.

— *An tAire Iompair.*

**8. An Bille um Sheirbhís Bhuiséadaithe agus Comhairle Airgid 2002 — Ordú don Dara Céim.**

Money Advice and Budgeting Service Bill 2002 — Order for Second Stage.

Bille dá ngairtear Acht do dhéanamh socrú maidir le seirbhís bhainistithe fiachais a fhorbairt agus a chur chun feidhme d'fhonn cuidiú le daoine aonair le linn fiachas tomhaltóra a bhainistiú, a laghdú agus a urscaoileadh; d'fhonn comhoibriú idir daoine agus an tAire Gnóthaí Sóisialacha, Pobail agus Teaghlaigh a éascú chun cuideachtaí a bhunú chun an tseirbhís a sholáthar; do dhéanamh socrú maidir leis na cuideachtaí sin do dhéanamh comhaontuithe leis an Aire chun an tseirbhís a sholáthar mar sholáthraithe seirbhíse áitiúla; do dhéanamh socrú maidir le príomhchuspóirí soláthraithe seirbhíse áitiúla; do thabhairt feidhmeanna don Aire maidir le cistiú, faireachán agus measúnú na seirbhíse; do bhunú Coiste Comhairleach Náisiúnta um Sheirbhís Bhuiséadaithe agus Comhairle Airgid chun dul i gcomhairle leis an Aire agus comhairle a thabhairt don Aire i dtaobh nithe a bhaineann le beartas i ndáil leis an tseirbhís, agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to provide for the development and implementation of a debt management service to assist individuals in managing, reducing and discharging consumer debt; to facilitate co-operation between persons and the Minister for Social, Community and Family Affairs for the purpose of establishing companies to provide the service; to provide for those companies to enter into agreements with the Minister to provide the service as local service providers; to provide for the principal objects of local service providers; to confer on the Minister functions in respect of the funding, monitoring and evaluation of the service; to establish a National Money Advice and Budgeting Service Advisory Committee to consult with and advise the Minister on matters of policy relating to the service, and to provide for related matters.

— *An tAire Gnóthaí Sóisialacha, Pobail agus Teaghlaigh.*

**9. An Bille um Pleanáil agus Forbairt (Leasú) 2004 — Ordú don Dara Céim.**

Planning and Development (Amendment) Bill 2004 — Order for Second Stage.

Bille dá ngairtear Acht do leasú an Achta um Pleanáil agus Forbairt 2000 chun socrú a dhéanamh maidir le húdaráis phleanála do dhiúltú cead pleanála do dhaoine a mhainnigh san am a caitheadh cead pleanála a deonaíodh a chomhlíonadh.

Bill entitled an Act to amend the Planning and Development Act 2000 to make provision for the refusal by planning authorities of planning permission to persons who in the past failed to comply with planning permission granted.

— *Michael Noonan.*

**10. An Bille um Ghníomhaireacht Forbartha Ghráinseach Ghormáin 2004 — Ordú don Dara Céim.**

Grangegorman Development Agency Bill 2004 — Order for Second Stage.

Bille dá ngairtear Acht do dhéanamh socrú maidir le limistéar i nGráinseach Ghormáin, Baile Átha Cliath a fhorbairt mar shuíomh le haghaidh saoráidí oideachais, sláinte agus eile, agus chun na críche sin do dhéanamh socrú maidir le comhlacht a bhunú ar a dtabharfar Gníomhaireacht Forbartha Ghráinseach Ghormáin, do mhíniú a fheidhmeanna, do leasú an Achta um Pleanáil agus Forbairt 2000 agus an Achta um Ghníomhaireacht Airgeadais d'Fhorbairt Náisiúnta 2002 agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to make provision for the development of an area in Grangegorman, Dublin as a location for education, health and other facilities, and for that purpose to provide for the establishment of a body to be known as the Grangegorman Development Agency, to define its functions, to amend the Planning and Development Act 2000 and the National Development Finance Agency Act 2002 and to provide for related matters.

— *An tAire Oideachais agus Eolaíochta.*

**11.** An Bille chun na hAchtanna um Chiontaí in aghaidh an Stáit (1939 go 1998) a Aisghairm 2004 — Ordú don Dara Céim.

Offences Against the State Acts (1939 to 1998) Repeal Bill 2004 — Order for Second Stage.

Bille dá ngairtear Acht d'aisghairm na nAchtanna um Chiontaí in aghaidh an Stáit 1939 go 1998.

Bill entitled an Act to repeal the Offences against the State Acts 1939 to 1998.

— *Aengus Ó Snodaigh.*

**12.** An Bille um Shábháilteacht, Sláinte agus Leas ag an Obair 2004 — Ordú don Dara Céim.

Safety, Health and Welfare at Work Bill 2004 — Order for Second Stage.

Bille dá ngairtear Acht do dhéanamh socrú breise chun sábháilteacht, sláinte agus leas daoine ag an obair a áirithiú agus chun na forálacha reachtúla iomchuí a fhorfheidhmiú, chun tuilleadh éifeachta a thabhairt do Threoir 89/391/CEE an 12 Meitheamh 1989 ón gComhairle maidir le bearta a thabhairt isteach d'fhonn feabh-suithe a spreagadh i dtaca le sábháilteacht agus sláinte oibríthe ag an obair agus do Threoir 91/383/CEE an 25 Meitheamh 1991 ón gComhairle maidir le bearta chun sábháilteacht agus sláinte oibríthe ag an obair, is oibríthe a bhfuil gaol fostaíochta ré socraithe nó gaol fostaíochta sealadach acu, a fheabhsú, do dhéanamh socrú maidir le gníomhaíochtaí oibre a rialáil tuilleadh, do choimeád an Údaráis Náisiúnta um Shábháilteacht agus Sláinte Ceirde ar marthain agus do thabhairt feidhmeanna breise dó agus d'athainmniú an chomhlachta sin mar an tÚdarás Sláinte agus Sábháilteachta, d'aisghairm an Achta um Shábháilteacht, Sláinte agus Leas ag an Obair 1989, do dhéanamh socrú maidir le hachtacháin áirithe eile a aisghairm agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to make further provision for securing the safety, health and welfare of persons at work and for the enforcement of the relevant statutory provisions, to give further effect to Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work and Council Directive 91/383/EEC of 25 June 1991 on measures to improve the safety and health at work of workers with a fixed-duration or temporary employment relationship, to provide for the further regulation of work activities, to continue in being and confer additional functions on the National Authority for Occupational Safety and Health and rename that body as the Health and Safety Authority, to repeal the Safety, Health and Welfare at Work Act 1989, to provide for the repeal of certain other enactments and to provide for related matters.

— *An tAire Fiontar, Trádála agus Fostaíochta.*

**13.** An Bille Poist (Forálacha Ilghnéitheacha) 2001 — Ordú don Dara Céim.

Postal (Miscellaneous Provisions) Bill 2001 — Order for Second Stage.

Bille dá ngairtear Acht do dhéanamh socrú maidir le scaireanna in An Post a eisiúint agus maidir leis an Aire Fiontar Poiblí do dhíol agus do dhiúscairt scaireanna ann, do laghdú an lín stiúirthóirí ar An Post arna gceapadh ag an Aire Fiontar Poiblí faoi alt 23(1) den Acht um Páirteachas Lucht Oibre (Fiontair Stáit), 1977, do dhéanamh socrú chun ainm an Stiúirthóra Rialála Teileachumarsáide a

Bill entitled an Act to make provision for the issue of shares in An Post and the sale and disposal of shares in it by the Minister for Public Enterprise, to reduce the number of directors of An Post appointed by the Minister for Public Enterprise under section 23(1) of the Worker Participation (State Enterprises) Act, 1977, to provide for the change of the name of the Director of Telecommunications Regulation to the

athrú go dtí an Stiúrthóir Rialála Cumarsáide agus do dhéanamh socrú i dtaobh nithe comghaolmhara.

Director of Communications Regulation and to provide for connected matters.

— *An tAire Fiontar Poiblí*

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*Fógraí Tairisceana : Notices of Motions*

**14.** “Meastacháin i gcomhair Seirbhísí Poiblí [2004]: Estimates for Public Services [2004]:

*Vóta 28 (Gnóthaí Eachtracha) (Meastachán Athbhreithnithe).*

Go ndeonófar suim nach mó ná €163,240,000 chun íoctha an mhuirir a thiocthaidh chun bheith iníoctha i rith na bliana dar críoch an 31ú lá de Nollaig, 2004, le haghaidh thuarastail agus chostais Oifig an Aire Gnóthaí Eachtracha, agus le haghaidh seirbhísí áirithe atá faoi riaradh na hOifige sin, lena n-áirítear deontais-i-gcabhair, agus ranníocaí le hEagraíochtaí Idirnáisiúnta.

*Vote 28 (Foreign Affairs) (Revised Estimate).*

That a sum not exceeding €163,240,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2004, for the salaries and expenses of the Office of the Minister for Foreign Affairs, and for certain services administered by that Office, including grants-in-aid, and contributions to International Organisations.

*Vóta 29 (Comhar Idirnáisiúnta) (Meastachán Athbhreithnithe).*

Go ndeonófar suim nach mó ná €400,030,000 chun íoctha an mhuirir a thiocthaidh chun bheith iníoctha i rith na bliana dar críoch an 31ú lá de Nollaig, 2004, le haghaidh Cúnaimh Oifigiúil Forbartha áirithe, lena n-áirítear deontais-i-gcabhair áirithe agus le haghaidh ranníocaí le hEagraíochtaí Idirnáisiúnta áirithe a bhaineann le Cúnamh Forbartha agus le haghaidh tuarastal agus caiteachas i ndáil leis an gcéanna.

*Vote 29 (International Co-operation) (Revised Estimate).*

That a sum not exceeding €400,030,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2004, for certain Official Development Assistance, including certain grants-in-aid, and for contributions to certain International Organisations involved in Development Assistance and for salaries and expenses in connection therewith.”

— *An tAire Airgeadais.*

**15.** “Go gceadaíonn Dáil Éireann na Rialacháin seo a leanas ina ndrúacht:—

Na Rialacháin um an Acht Comhdhlúite Cánacha 1997 (Gníomhaíochtaí Taighde agus Forbartha Forordaithe) 2004,

ar leagadh cóipeanna díobh ina ndrúacht faoi bhráid Dháil Éireann an 30 Meitheamh, 2004.

That Dáil Éireann approves the following Regulations in draft:—

Taxes Consolidation Act 1997 (Prescribed Research and Development Activities) Regulations 2004,

copies of which were laid in draft before Dáil Éireann on 30th June, 2004.”

— *An Tánaiste agus Aire Fiontar, Trádála agus Fostaíochta.*

**16.** “Go gceadaíonn Dáil Éireann, de bhun Airteagal 29.5.2° de Bhunreacht na hÉireann, téarmaí an Chomhaontaithe idir Rialtas Ríocht Aontaithe na Breataine Móire agus Thuaisceart Éireann agus Rialtas na hÉireann maidir le Tarchur Gáis Nádúrtha leis an Dara Píblíne idir Ríocht Aontaithe na Breataine Móire agus

That Dáil Éireann, pursuant to Article 29.5.2° of Bunreacht na hÉireann, approves the terms of the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland relating to the Transmission of Natural Gas by a Second Pipeline between the United Kingdom of

Thuaisceart Éireann agus Éire agus trí Cheangal go dtí Oileán Mhanann idir Éire, den chéad pháirt agus Ríocht Aontaithe na Breataine Móire agus Thuaisceart Éireann, den pháirt eile, ar leagadh an téacs de faoi bhráid Dháil Éireann an 23 Meitheamh, 2004.

Great Britain and Northern Ireland and Ireland and through a Connection to the Isle of Man between Ireland, of the first part and the United Kingdom of Great Britain and Northern Ireland, of the other part, the text of which was laid before Dáil Éireann on 23rd June, 2004.”

— *An tAire Cumarsáide Mara agus Acmhainní Nádirtha.*

17. “Go dtugann Dáil Éireann dá haire an Tuarascáil ón gComhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan dar teideal ‘An Tuarascáil Deiridh ar an Tuarascáil ón gCoimisiún Fiosrúcháin Neamhspleách faoi bhua máil Bhaile Átha Cliath agus Mhuineacháin’, a leagadh faoi bhráid Dháil Éireann an 31 Márta, 2004.

That Dáil Éireann notes the Report of the Joint Committee on Justice, Equality, Defence and Women’s Rights entitled ‘Final Report on the Report of the Independent Commission of Inquiry into the Dublin and Monaghan Bombings’, which was laid before Dáil Éireann on 31st March, 2004.”

— *Seán Ardagh, Chairman of the Committee.*  
[1 April, 2004]

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### **ORDUITHE AN LAE ORDERS OF THE DAY.**

18. (l) An Bille um Aerfoirt Stáit 2004 — Ordú don Tuarascáil.  
(a) State Airports Bill 2004 — Order for Report.

19. (l) An Bille um Chosaint Mháithreachais (Leasú) 2003 [*Seanad*] — Ordú don Tuarascáil.  
(a) Maternity Protection (Amendment) Bill 2003 [*Seanad*] — Order for Report.

20. An Bille um Chomhlachas Forbartha Idirnáisiúnta (Leasú) 2003 — Ordú don Tuarascáil.  
International Development Association (Amendment) Bill 2003 — Order for Report.

21. (l) An Bille um Shlándáil Mhuirí 2004 [*Seanad*] — Ordú don Tuarascáil.  
(a) Maritime Security Bill 2004 [*Seanad*] — Order for Report.

22. (l) An Bille um Dhumpáil ar Farraiqe (Leasú) 2000 [*Seanad*] — Ordú don Tuarascáil.  
(a) Dumping at Sea (Amendment) Bill 2000 [*Seanad*] — Order for Report.

23. An Bille Leictreachais (Soláthar) (Leasú) 2004 [*Seanad*] — Ordú don Tuarascáil.  
Electricity (Supply) (Amendment) Bill 2004 [*Seanad*] — Order for Report.

24. An Bille um an gCúirt Choiriúil Idirnáisiúnta 2003 — An Dara Céim (*atógáil*).  
International Criminal Court Bill 2003 — Second Stage (*resumed*).

25. An Bille um Chosaint Sceithirí 1999 — An Coiste.  
Whistleblowers Protection Bill 1999 — Committee.

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26. An Bille Ombudsman (Óglaigh na hÉireann) 2002 — Ordú don Tuarascáil.  
Ombudsman (Defence Forces) Bill 2002 — Order for Report.

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27. An Bille um Fháiltais ó Choireacht (Leasú) 1999 — Ordú don Tuarascáil.  
Proceeds of Crime (Amendment) Bill 1999 — Order for Report.

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28. Bille na bPaitinní (Leasú) 1999 — An Coiste.  
Patents (Amendment) Bill 1999 — Committee.

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29. An Bille um Shábháilteacht Iarnróid 2001 — Ordú don Tuarascáil.  
Railway Safety Bill 2001 — Order for Report.

*Tairiscint (atógáil):*

*Motion (resumed):*

30. “Go ndéanann Dáil Éireann, de bhun  
Bhuan-Ordú 63A,

That Dáil Éireann, pursuant to Standing  
Order 63A,

1. Á thabhairt dá haire an fhaisnéis seo a  
leanas ón Aire Dlí agus Cirt, Comh-  
ionannais agus Athchóirithe Dlí:

1. Noting the following information from  
the Minister for Justice, Equality and  
Law Reform:

(a) go ndearna an Garda Síochána, i mí  
Lúnasa 2001, ar fhaisnéis a fháil ó  
Interpol ar faisnéis í a fuair *The  
United States Postal Inspection Service*  
le linn cuardaigh ar áitreabh in Fort  
Worth, Texas, a bhain le mionsonraí  
custaiméirí líomhnaithe cuideachta a  
raibh rochtain á tairiscint aici ar  
shuímh idirlín pornagrafaíochta leanaí,  
tús a chur le hoibríocht i ndáil le  
daoine ón dlínse seo a líomhnaíodh  
a bheith aitheanta amhlaidh,

(a) that the Garda Síochána in August  
2001, on receipt of information from  
Interpol obtained by the United  
States Postal Inspection Service during  
a search of premises in Fort Worth,  
Texas, concerning details of alleged  
customers of a company offering  
access to child pornography websites,  
commenced an operation in relation  
to persons allegedly so identified  
from this jurisdiction,

(b) go raibh san áireamh sna mionsonraí  
sin ainmneacha, pasfhocail agus  
mionsonraí cárta creidmheasa agus  
cárta muirir daoine áirithe,

(b) that these details included the  
names, passwords and credit card  
and charge card details of certain  
persons,

(c) go raibh duine darb ainm *Brian  
Curtin, 35 Ashe Street, Tralee, Co.  
Kerry*, ar dhuine de na daoine ón  
dlínse seo a ainmníodh amhlaidh  
agus gur léirigh fiosrúcháin dá éis sin  
gurbh é Brian Curtin, Breitheamh  
den Chúirt Chuarda, agus seoladh tí  
cónaithe 24 Ard na Lí, Trá Lí, Co.  
Chiarraí aige, an duine sin,

(c) that one of the persons from this  
jurisdiction so named was a Brian  
Curtin, 35 Ashe Street, Tralee, Co.  
Kerry, and that subsequent enquiries  
indicated that this person was Brian  
Curtin, Judge of the Circuit Court,  
with a home address of 24 Ard na Lí,  
Tralee, Co Kerry,

(d) go ndearna an Chúirt Dúiche  
barántas chun teach cónaithe an  
Bhreithimh Curtin a chuardach faoi  
alt 7 den Acht um Gháinneáil ar  
Leanaí agus Pornagrafaíocht Leanaí  
1998 a eisiúint de bhun iarratais ó  
chomhalta den Gharda Síochána an  
20 Bealtaine 2002,

(d) that a warrant to search Judge  
Curtin’s home under section 7 of the  
Child Trafficking and Pornography  
Act 1998 issued from the District  
Court on foot of an application by a  
member of the Garda Síochána on  
20 May 2002,

- (e) go ndearnadh cuardach ar theach cónaithe an Bhreithimh Curtin dá éis sin de bhun an bharántais sin agus gur ghlac Gardaí seilbh ar ríomhaire pearsanta agus ar ábhar eile le linn an chuardaigh,
- (f) gur chuir údaráis an Gharda comhad imscrúdaithe faoi bhráid an Stiúrthóra Ionchúiseamh Poiblí i mí Dheireadh Fómhair 2002, agus gur threoraigh an Stiúrthóir Ionchúiseamh Poiblí go ndéanfaí an Breitheamh Curtin a ionchúiseamh as pornagrafaíocht leanaí a bheith ina sheilbh go feasach contrártha d’alt 6 den Acht um Gháinneáil ar Leanáí agus Pornagrafaíocht Leanáí 1998,
- (g) gur thosaigh triail an chúisimh sin an 20 Aibreán 2004 i gCúirt Chuarda Thrá Lí agus go bhfuarthas an Breitheamh Curtin neamhchiontach sa chúiseamh sin an 23 Aibreán 2004 gan fianaise a bheith tugtha i ndáil le hábhar an chúisimh, tar éis don Chúirt Chuarda Choiriúil a chinneadh go raibh an barántas sin a dúradh imithe in éag nuair a forghníomhaíodh é i dteach cónaithe an Bhreithimh Curtin.
- (e) that Judge Curtin’s home was subsequently searched on foot of the said warrant and that Gardaí took possession of a personal computer and other material during the search,
- (f) that an investigation file was submitted to the Director of Public Prosecutions by the Garda authorities in October 2002 and that the Director of Public Prosecutions instructed that Judge Curtin be prosecuted for knowingly having in his possession child pornography contrary to section 6 of the Child Trafficking and Pornography Act 1998,
- (g) that the trial of the said charge commenced on 20 April 2004 at Tralee Circuit Court and that on 23 April 2004 Judge Curtin was found not guilty of that charge without evidence being given in relation to the subject matter of the charge, the Circuit Criminal Court having determined that the aforesaid warrant was spent when executed at the home of Judge Curtin.

agus

and

2. A éileamh go ndéanfar, de bhun Airteagal 35.4 den Bhunreacht agus alt 39 den Acht Cúirteanna Breithiúnais 1924, an tOnórach an Breitheamh Brian Curtin, Breitheamh den Chúirt Chuarda, a chur as oifig de dheasca mí-iompair a luafar, arb é atá i gceist ann a chuid iompair maidir le síntiús a thabhairt do shuímh idirlín ar a raibh íomhánna pornagrafaíochta leanaí, rochtain a fháil ar na suímh sin agus na suímh sin a úsáid agus i ndáil leis na nithe sin agus é féin a fhágáil mí-oiriúnach dá dheasca sin chun oifig Breithimh den Chúirt Chuarda a fheidhmiú.
2. Calls for the removal, pursuant to Article 35.4 of the Constitution and section 39 of the Courts of Justice Act 1924, of His Honour Judge Brian Curtin, Judge of the Circuit Court, from office for stated misbehaviour, being his conduct in and in relation to subscribing to, accessing and use of websites containing child pornographic images and thereby rendering himself unsuitable to exercise the office of a Judge of the Circuit Court.”

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

31. Tairiscintí Airgeadais ón Aire Airgeadais [2003] (*Tairiscint 5, atógáil*).  
Financial Motions by the Minister for Finance [2003] (*Motion 5, resumed*).

32. Tairiscintí Airgeadais ón Aire Airgeadais [2002] (*Tairiscint 11, atógáil*).  
Financial Motions by the Minister for Finance [2002] (*Motion 11, resumed*).



**GNÓ COMHALTAÍ PRÍOBHÁIDEACHA**  
**PRIVATE MEMBERS' BUSINESS**

*Gnó a ordaitíodh:*  
*Business ordered:*

33. An Bille um Pobail Inchothaithe 2004 — An Dara Céim.  
Sustainable Communities Bill 2004 — Second Stage. — *Trevor Sargent.*
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34. An Bille um Misin Síochána Idirnáisiúnta 2003 — An Dara Céim.  
International Peace Missions Bill 2003 — Second Stage.  
— *Gay Mitchell and Dinny McGinley.*
- 
35. An Bille um Gháinneáil ar Leanaí agus Pornagrafaíocht Leanaí (Leasú) (Uimh. 2)  
2004 — An Dara Céim.  
Child Trafficking and Pornography (Amendment) (No. 2) Bill 2004 — Second Stage.  
— *Jim O’Keeffe.*
- 
36. An Bille um Fheirmeoireacht Fionnaidh (Toirmeasc) 2004 — An Dara Céim.  
Fur Farming (Prohibition) Bill 2004 — Second Stage. — *Dan Boyle.*
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37. An Bille um Bainistiú Dramhaíola (Leasú) 2003 — An Dara Céim.  
Waste Management (Amendment) Bill 2003 — Second Stage. — *Arthur Morgan.*
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38. An Bille um Thoghcháin Áitiúla 2003 — An Dara Céim.  
Local Elections Bill 2003 — Second Stage. — *Eamon Gilmore.*
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39. An Bille um Atáirgeadh Daonna 2003 — An Dara Céim.  
Human Reproduction Bill 2003 — Second Stage. — *Mary Upton.*
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40. An Bille um Chlárú Brústocairí 2003 — An Dara Céim.  
Registration of Lobbyists Bill 2003 — Second Stage. — *Pat Rabbitte.*
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*Fógraí Tairisceana:*  
*Notices of Motions:*

41. “That Dáil Éireann resolves that the Freedom of Information Act 1997 (Fees) Regulations 2003 (S.I. No. 264 of 2003) made by the Minister for Finance on the 30th June, 2003, be and are hereby annulled.” — *Joan Burton, Pat Rabbitte, Liz McManus, Emmet Stagg, Thomas P. Broughan, Joe Costello, Eamon Gilmore, Michael D. Higgins, Brendan Howlin, Kathleen Lynch, Breeda Moynihan-Cronin, Brian O’Shea, Jan O’Sullivan, Seamus Pattison, Willie Penrose, Ruairi Quinn, Seán Ryan, Joe Sherlock, Róisín Shortall, Mary Upton, Jack Wall.*  
[30 September, 2003]

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42. “That Dáil Éireann:

— recalling the apology given by the Taoiseach on the 11th May, 1999, to the victims of childhood abuse, in the following terms:

— *‘On behalf of the State and of all citizens of the State, the Government wishes to make a sincere and long overdue apology to the victims. Abuse ruined their childhoods and has been an ever present part of their adult lives, reminding them of a time when they were helpless. I want to say to them that we believe that they*

P.T.O.

*were gravely wronged and that we must do all we can to overcome the lasting effects of their ordeals.*

- *What the Government has decided on today is not a break with the past; it is a facing up to the past and all that this involves. This may well be a painful process; but it can not and should not be avoided.*
- *This country has a lot to be proud of. We are developing in many ways and for the first time we are seeing movement on a range of serious problems. But we cannot truly advance unless we acknowledge and deal with the more uncomfortable elements of our past. Only when we do this will we have matured as a self-confident and inclusive society . . .*
- *‘The time has long since arrived when we must take up the challenge which the victims of childhood abuse have given us all. A new, comprehensive approach is required to dealing with both the effects and prevention of this abuse.’;*
- further recalling the announcement of the same day of a Commission to Inquire into Abuse of Children, the subsequent appointment of Ms. Justice Mary Laffoy as Chairperson of the Commission and the statements of the then Minister for Education and Science that the Commission *‘will be specifically mandated to carry out a thorough and comprehensive inquiry into allegations and establish responsibility at the level of the individual abuser, the institution and management and regulatory authorities’* and that *‘the Committee will have available to it the resources and all the legal powers and protections it needs to do this’;*
- noting the clear mandate given to the Commission by the enactment of the Commission to Inquire into Child Abuse Act 2000 (as amended by the Residential Institutions Redress Act 2002), including in particular the mandate *‘to provide, for persons who have suffered abuse in childhood in institutions during the relevant period, an opportunity to recount the abuse, and make submissions, to a Committee’* and the requirement that the Commission and its committees must bear in mind *‘the need of persons who have suffered abuse in childhood to recount to others such abuse, their difficulties in so doing and the potential beneficial effect on them of so doing’;*
- acknowledging the commitment and integrity of Ms. Justice Laffoy and the high esteem in which she is held and continues to be held, especially by those connected with the Commission and those who appeared before her;
- condemning the Government’s treatment of the requests of Ms. Justice Laffoy for the resources necessary to enable the Commission adequately to fulfil its statutory obligations and, in particular, the Government’s effective rejection of the proposals put forward by the Commission on the 8th November, 2002, for parallel hearings in four divisions, conducted on a modular basis, which would in its estimation have seen matters conclude by mid 2005;
- acknowledging with regret that Ms. Justice Laffoy has felt compelled to give notice of her intention to resign as Chairperson of the Commission, due to the fact that, in her own words, *‘since its establishment, the Commission has never been properly enabled by the Government to fulfil satisfactorily the functions conferred on it by the Oireachtas’;*
- noting that the Taoiseach publicly accepted the criticisms articulated by Ms. Justice Laffoy in her letter of the 2nd September, 2003, a position contradicted by the Government’s subsequent response to her letter of resignation;
- deploring the Government’s handling of the resignation of Ms. Justice Laffoy, in particular the attempts by the Government to misrepresent its own position and to undermine both the Commission’s Chairperson, the Commission itself and the Oireachtas mandate of the Commission;

- believing that the issue of the costs of the Commission has been allowed by the Government to achieve a spurious primacy over the mandate which the Commission received from the Oireachtas:—
  - demands that the Government publish the findings of the review of the Commission completed on 26th February and publish the Heads of a Bill brought to Cabinet by the Minister for Education and Science which were approved by Government on 8th April, together with all Government memoranda and Departmental observations;
  - rejects:
    - apparent proposals for a ‘sampling’ method to be applied to the investigation of abuse, which would entirely fail to discharge the Taoiseach’s undertaking to victims of abuse in 1999 to ‘*do all we can to overcome the lasting effects of their ordeals*’,
    - the proposal floated that, in lieu of the proper investigation of childhood abuse complaints as provided for in the legislation, alleged abusers might instead be summoned to attend before the Confidential Committee of the Commission, a body with no mandate or legal capacity to establish the truth or otherwise of allegations or to make any findings of fact, and
    - an apparent proposal that the number and type of residential institutions to be investigated by the Commission be drastically reduced;
- deplores as negligent and profligate the deed of indemnity agreed between the Government and certain religious orders on the 5th June, 2002, and in particular the facts that the agreement was drafted by solicitors for those orders and not in the Attorney General’s Office; that the agreement was neither debated in nor approved by this House; that former Minister Michael Woods, T.D., was unaccompanied by Government law officers at critical negotiating meetings; that the Department of Finance had recommended a 50/50 apportionment of liability between Church and State but this recommendation was ignored; that all costs of whatever kind, contemplated or not, in excess of €128m will instead be borne by the Exchequer; that approximately one third of the €128m to be contributed by the orders is to comprise property already donated to the State; and that the Attorney General was not involved in the finalisation of the deed of indemnity;
- condemns as incompetence on a monumental scale the fact that, four months after the Government had purportedly agreed to additional resources for the Commission, to enable it to implement its proposals of the 8th November, 2002, and just one week after the Government had approved recommendations arising from its first review of the Commission’s operations and designed to control costs, Minister Dempsey then returned to Government to secure a second review whose net effects will be to:
  - remove the entitlement to a hearing from the vast majority of abuse victims,
  - further extend the timeframe within which the Commission will complete its work, and
  - force disappointed victims from the Commission to the High Court, with consequent increased expense which the taxpayer must cover;
  - acknowledges the fact that several thousand of our fellow citizens, who were exposed under grossly inadequate State supervision to differing types and degrees of physical injury, sexual abuse and continuing injury to mental and emotional wellbeing, have now been further betrayed in their expectations by the Government’s mishandling of this situation and that the delay and uncertainty arising therefrom have caused additional and unnecessary distress and suffering for many; and

- concludes that the Government collectively, as well as the present and former Ministers for Education and Science individually, was neither open nor transparent in its dealings with the Commission and the victims of childhood abuse; that it was at no stage motivated solely by a concern to achieve justice for those who had been denied it for so long; and that all Government members in consequence share responsibility for the present disastrous state of affairs.” — *Pat Rabbitte, Liz McManus, Emmet Stagg, Thomas P. Broughan, Joan Burton, Joe Costello, Eamon Gilmore, Michael D. Higgins, Brendan Howlin, Kathleen Lynch, Breeda Moynihan-Cronin, Brian O’Shea, Jan O’Sullivan, Seamus Pattison, Willie Penrose, Ruairi Quinn, Seán Ryan, Joe Sherlock, Róisín Shortall, Mary Upton, Jack Wall.*

[30 September, 2003]

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43. “That Dáil Éireann:

- deplores the fundamentally flawed waste management policy of the Government as implemented by the Minister for the Environment, Heritage and Local Government, Martin Cullen, T.D., which has:
  - led directly to the current situation of confrontation in Dublin and to the imprisonment of bin charges protesters, including elected representatives who should be released,
  - deprived elected representatives on local authorities of powers to determine waste management policy,
  - empowered and encouraged city and county managers to refuse to collect refuse from homes who have not paid the bin tax or who are in arrears, thereby creating a serious health hazard,
  - compounded the double taxation of refuse charges, and
  - facilitated the privatisation of waste management and other local authority services; and
- demands that the Minister bring forward without delay legislation to amend the Protection of the Environment Act 2003 to ensure that local authorities fulfil their responsibility for public health and safety and provide a refuse collection service to all householders and replaces refuse charges on householders with the proper application of the polluter pays principle to target the main producers of waste as part of a comprehensive and effective waste management strategy.” — *Arthur Morgan, Caoimhghín Ó Caoláin, Seán Crowe, Martin Ferris, Aengus Ó Snodaigh.*

[30 September, 2003]

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44. “That Dáil Éireann:

- notes a whole series of debacles during the summer recess which displays this Government’s ineptitude:
  - the incompetent handling of the review of the Laffoy Commission and the resultant resignation of Justice Laffoy;
  - the series of crises at Accident and Emergency departments which can only get worse in the winter months;
  - Ireland coming bottom of the OECD league table for secondary level education expenditure and the axing of childcare for VTOS students;
  - the renegeing on election promises for a focused school-building programme;
  - the €9 million windfall for a developer in Co. Louth in a rezoning decision that will quadruple a village’s population;

- the chaotic situation with regard to local authority refuse collection, particularly in Dublin;
  - the continuously delayed construction of the Luas and the non-event that was car-free day;
  - the war of words between the Minister for Justice, Equality and Law Reform and Gardaí and allegations of ill-treatment in Garda custody;
  - the granting of planning permission to the ESB for developments at Moneypoint which will increase its output of greenhouse gases by 126,000 tonnes a year;
  - the Minister for the Environment, Heritage and Local Government's opposition to the ban on smoking in the workplace; and
  - the disastrous fish kills on the Donegal coast;
- calls on the Government to:
- put an independent body in place to oversee the Laffoy Commission's work because of the Department of Education and Science's conflict of interest;
  - publish without further delay the Hanley Report on the health services;
  - provide increased resources for education, particularly at earlier stages where inequalities take root which are reflected much later in third level participation rates;
  - make it clear to the licensing trade that the ban on smoking will be implemented in full;
  - drop its incineration-led policy on waste disposal and introduce proper recycling systems and incentives to recycle and reduce waste generation;
  - restore confidence in the Gardaí by introducing an independent complaints board which could deal with complaints from the public, or indeed, from the Minister;
  - tackle the long-standing environmental problems with fish farms and research alternative less-intensive aquaculture systems;
  - join the Luas lines with an on-street tram line and to re-open the Western Rail corridor;
  - adopt a coherent approach to reducing greenhouse gas emissions including a revenue-neutral carbon tax; and
  - reverse immediately its opposition to the Green Party bill which would restrict rezoning to lands that are publicly owned.” — *Trevor Sargent, John Gormley, Dan Boyle, Ciarán Cuffe, Paul Gogarty, Eamon Ryan.*

[30 September, 2003]

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**45.** “That Dáil Éireann agrees that all necessary steps should be taken to allow Deputy Joe Higgins a temporary release from prison in order to attend Dáil Éireann to fulfill his obligations as a Dáil Deputy and as Leader of the Independent Group under the Constitution.” — *Tony Gregory, James Breen, Paudge Connolly, Jerry Cowley, Marian Harkin, Seamus Healy, Finian McGrath, Paddy McHugh, Liam Twomey.*

[7 October, 2003]

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**46.** “That Dáil Éireann notes the failure of the Government to sanction the construction of a new Cork School of Music, despite a Government announcement of its development before the general election in early 2002 and now calls on the Government to proceed

with the project without further delay in view of the hardship to students and staff alike because of the unsafe and overcrowded conditions that they are working and studying under and in view of the Comptroller and Auditor General's Report on the project."

— *Bernard Allen, Simon Coveney, Gerard Murphy, Jim O'Keeffe, David Stanton.*

[7 October, 2003]

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**47.** "That Dáil Éireann, in regard to the National Monument at Carrickmines Castle in Dún Laoghaire Rathdown and South Dublin:

— notes the decision of the Minister for the Environment, Heritage and Local Government to place an Order before it on 3rd July, 2003 under section 14 of the National Monuments Act 1930 allowing the Government to:

— demolish or remove wholly or in part or to disfigure, deface, alter or in any manner to injure or interfere with any such national monument without or otherwise than the consent hereinafter mentioned, and

— excavate, dig, plough, or otherwise disturb ground within, around, or in proximity to any such national monument without or otherwise than in accordance with the consent hereafter mentioned;

— acknowledges that under section 15 of the National Monuments (Amendment) Act 1994, an Order annulling the Order can be passed by Dáil Éireann within the next twenty-one days on which that House has sat after the Order is laid before it, the Order shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder; and

— resolves that the Order shall be annulled and calls on the Minister for the Environment, Heritage and Local Government, in conjunction with the relevant agencies, to modify the route and junction layout if necessary of the proposed south eastern motorway in the vicinity of the National Monument so as to re-route the road to the south west of the substantial Castle remains." — *Ciarán Cuffe, Trevor Sargent, John Gormley, Dan Boyle, Paul Gogarty, Eamon Ryan.*

[14 October, 2003]

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**48.** "That Dáil Éireann noting the appalling conditions of disadvantage and violence being endured by the street children of Central America, calls on the Irish Government to take all possible diplomatic action to ensure that the plight of street children in Guatemala and Honduras is recognised and acted on, and that the Irish Government through the Department of Foreign Affairs and relevant agencies, take appropriate steps to reduce the threat of violence and improve the living conditions of children in these countries." — *Ciarán Cuffe, Trevor Sargent, John Gormley, Dan Boyle, Paul Gogarty, Eamon Ryan.*

[14 October, 2003]

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**49.** "That Fine Gael condemns the Minister for Agriculture and Food for his recent attack on farm leaders and calls on him to:

— withdraw the remarks;

— reject the proposals on live cattle exports put forward by the EU Commission, which have the potential to cost the agriculture sector two hundred million euro;

— seek clarification from the EU's Food and Veterinary Office (FVO) on deficiencies in the Brazilian and Argentinean beef industries;

— protect the funding for installation aid;

— establish a code of practice for the Special Investigation Unit of the Department of Agriculture and Food; and

- ensure the implementation of ‘The Charter of Rights for Farmers.’ — *Billy Timmins, Enda Kenny, Richard Bruton, Bernard Allen, Pat Breen, John Bruton, Paul Connaughton, Simon Coveney, Seymour Crawford, John Deasy, Bernard J. Durkan, Damien English, Olwyn Enright, Tom Hayes, Phil Hogan, Paul Kehoe, Padraic McCormack, Dinny McGinley, Paul McGrath, Gay Mitchell, Olivia Mitchell, Gerard Murphy, Denis Naughten, Dan Neville, Michael Noonan, Fergus O’Dowd, Jim O’Keeffe, John Perry, Michael Ring, David Stanton.*

[21 October, 2003]

**50.** “That Dáil Éireann:

- recognising the important role of section 481 incentives in developing the film industry in Ireland;
- noting that similar incentive schemes are available in other countries with whom Ireland competes for projects;
- concerned that the abolition of incentives would result in significant job losses in the whole film sector;

calls on the Government to maintain and develop supports for the film industry and to retain the section 481 incentives in the 2004 Budget.” — *Ciarán Cuffe, Eamon Ryan, Trevor Sargent, John Gormley, Dan Boyle, Paul Gogarty.*

[4 November, 2003]

**51.** “That Dáil Éireann:

- recognising the considerable benefits in terms of employment and overseas recognition that derive to Ireland from a thriving film industry;
- concerned at the failure of the Government to conduct any analysis of the benefits of film tax relief;
- alarmed at the negative impact on the industry should such relief be withdrawn, and
- demands the urgent production of a sectoral development plan for the industry which would deal with:
  - Ireland’s competitiveness as a location for filmmaking,
  - the linkages between indigenous and inward film production,
  - the opportunity to attract strategic elements of the industry to locate in Ireland, and
  - the proper balance between tax based investor relief and alternative forms of State support or participation; and,

- proposes the suspension of the termination date for film tax relief of 31st December, 2004, for a period that would allow the State to take a strategic overview of the optimum approach to the industry.” — *Jimmy Deenihan, Enda Kenny, Richard Bruton, Bernard Allen, Pat Breen, John Bruton, Paul Connaughton, Simon Coveney, Seymour Crawford, John Deasy, Bernard J. Durkan, Damien English, Olwyn Enright, Tom Hayes, Phil Hogan, Paul Kehoe, Padraic McCormack, Dinny McGinley, Paul McGrath, Gay Mitchell, Olivia Mitchell, Gerard Murphy, Denis Naughten, Dan Neville, Michael Noonan, Fergus O’Dowd, Jim O’Keeffe, John Perry, Michael Ring, David Stanton, Billy Timmins.*

[12 November, 2003]

**52.** “That Dáil Éireann:

- notes the following alarming list of crises for which the Government must bear full responsibility:
  - the continuing deterioration at accident and emergency departments, where patients may now be considered lucky to get a trolley with many spending days on chairs waiting for admission;

- more allegations of ill-treatment in Garda custody and the continued failure of the Government to introduce an independent body to deal with complaints;
  - the failure of the Government, for yet another year, to introduce energy taxes despite the fact that Ireland is the country seventh most dependent on fossil fuels and mounting evidence of the devastating effects of global warming on the planet's species;
  - the damage to confidence in the process of public consultation resulting from the decision by An Bord Pleanála to allow Government policy to override the recommendations of its experts and to grant permission for the toxic waste incinerator at Ringaskiddy;
  - the stalling of the Medical Practitioners Bill despite increasing evidence of the dangers to patients of negligence within the health service;
  - the refusal of the Government to respond to genuine concerns about the system of electronic voting it is adopting, leaving the country to face local and European elections in June in which there is no way of proving that the results are correct;
  - the absence of any coherence between Government policies on spatial strategy and decentralisation; and
  - repeated discord within the cabinet over the smoking ban, the Hanly report, incinerators and the indemnity agreement with the churches with regard to child abuse;
- calls on the Government to:
- drop the Hanly Report as the basis for reform of the health service and to reverse the downgrading of local hospitals;
  - restore public confidence in the Gardaí by introducing a genuinely independent complaints board;
  - adopt as soon as possible a revenue-neutral carbon tax to reduce greenhouse gas emissions;
  - drop its proposed Infrastructure Bill which is being used to bully An Bord Pleanála into compliance with the Government's wishes;
  - ensure that the Medical Practitioners Bill is brought before the Oireachtas at the earliest opportunity;
  - alter the electronic voting system to provide a paper record of votes so that disputed results may be verified; and
  - halt and review the programme of decentralisation of Government Departments in order to co-ordinate with the National Spatial Strategy and to undertake a process of real decentralisation of decision-making powers to regional and local authorities.” — *Trevor Sargent, Dan Boyle, Ciaran Cuffe, Paul Gogarty, John Gormley, Eamon Ryan.*

[20 January, 2004]

**53.** “Go dtathantaíonn Dáil Éireann ar an Rialtas:

- a chur in iúl don Chomhairle Airí gur mian leis an Rialtas go mbeidh an Ghaeilge ina teanga oibre oifigiúil den Aontas Eorpach; agus

That Dáil Éireann urges the Government to:

- inform the Council of Ministers that the Government wishes the Irish language to be an official working language of the European Union; and



- a iarraidh ar an gCoimisiún Eorpach an leasú cuí ar Rialachán 1, 1958, a dhréachtú agus a chur faoi bhráid na Comhairle Airí.
- request the European Commission to draft and put before the Council of Ministers the appropriate amendment to Regulation 1, 1958.”
- *Caoimhghín Ó Caoláin, Aengus Ó Snodaigh, Seán Crowe, Martin Ferris, Arthur Morgan.*  
[20 January, 2004]

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**54.** “That Dáil Éireann:

- notes the recommendations of the Constituency Commission published in January, 2004 to divide County Leitrim between the two proposed new constituencies of Sligo/North Leitrim and Roscommon/South Leitrim;
- notes section 6(2)(c) of the Electoral Act 1997 which states ‘the breaching of County boundaries shall be avoided as far as practicable’;
- recognises that larger constituency size adds the quality of extra proportionality to the electoral system as a whole;

calls on the Government to:

- reject the findings of the Constituency Commission in relation to County Leitrim;
- amend section 6(2)(b) of the Electoral Act of 1997 to allow for the formation of six and seven seat constituencies; and
- reconvene the Constituency Commission to consider the possibility of establishing one six seat constituency comprising the three counties of Sligo, Leitrim and Roscommon.” — *Arthur Morgan, Caoimhghín Ó Caoláin, Seán Crowe, Martin Ferris, Aengus Ó Snodaigh.*  
[4 May, 2004]

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**55.** “That Dáil Éireann:

recognising the urgent need for a radical reappraisal of animal welfare in this State particularly in the context of:

- the appalling conditions recently exposed on so-called ‘puppy-farms’ in Ireland, conditions which are not tolerated in any other E.U. country;
- the growth in fur farming in Ireland including that artic fox confined in inhumane and unnatural conditions, electrocuted at 6 months without veterinary supervision, a practice that has been made illegal in the north of Ireland and Britain;
- the on-going hunting with packs of hounds of deer reared/farmed in captivity (a practice outlawed in the north of Ireland on the grounds of cruelty) despite the Kane Report of the Department of Agriculture’s Veterinary Inspector which referred to it being ‘inhumane’ the deer ‘terrified’ and that it could be argued legally that this contravenes the Protection of Animals Act 1911;
- the on-going practice of enclosed live hare coursing (recently banned in the north of Ireland) inflicting cruelty and terror on the most timid of small animals;
- the use of packs of hounds for the hunting and killing of foxes along with various associated abuses the most extreme being the blooding of hounds on fox-cubs — all of which is now being banned in Britain;
- the increasing numbers of shooters coming to this country indiscriminately destroying many species of wild-birds;
- abuses related to live exports of farm animals; and

resolves to act in each of the cases set out above and where appropriate outlaw such activities and ensure that only the highest standards in animal welfare shall be permitted forthwith in Ireland.” — *Tony Gregory*.

[18 May, 2004]

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**56.** “That Dáil Éireann:

- acknowledges that the Irish Government policy of assisting hundreds of thousands of US troops to participate in the illegal invasion and occupation of Iraq has resulted in tens of thousands of deaths including the killing of approximately 10,000 civilians and nearly 900 occupation troops including approximately 800 American soldiers;
- acknowledges that Irish assistance in this war has contributed to a situation where thousands of people including children are being injured or killed by exploding cluster bombs, and the main cities of Iraq are poisoned with radiation from uranium tipped shells and missiles;
- acknowledges that the alleged threat that provided the justification for war and for Irish assistance — the imminent danger posed by Iraqi weapons of mass destruction — has since proved to be false;
- expresses its horror at all deaths, atrocities and human rights violations associated with this war, and extends its sympathies to all survivors and condolences to all families affected;
- expresses its anger at the cost of this war to date, including an estimated spend of over \$100 billion by the US alone — which could have been better spent in the war on global poverty, hunger and disease;
- expresses its revulsion at the torture and killing of Iraqi prisoners of war by US and British occupation troops, and its support for independent human rights monitors including Amnesty International and the United Nations to gain immediate access to all detention facilities in Iraq;
- resolves that the circumstances warrant the immediate suspension of overflight and landing privileges granted by the Government to military and civilian chartered aircraft conveying US troops to Iraq, and instructs the Government to act accordingly;
- calls on the Irish people to peacefully register their opposition to the occupation of Iraq and to Irish collusion in that occupation on the occasion of the US President’s visit to Ireland during the US-EU Summit; and
- instructs the Government to spare no effort in international diplomacy both under the EU Presidency and as a sovereign state to ensure a speedy end to the occupation of Iraq by the so-called Coalition of the Willing, that the transition to Iraqi democratic self-government is managed by the United Nations, that any associated UN peacekeeping force be led by troops from the Arab nations, and that all those responsible for war crimes in relation to this conflict be brought to justice in accordance with international law, regardless of their position or rank.” — *Caoimhghín Ó Caoláin, Seán Crowe, Martin Ferris, Arthur Morgan, Aengus Ó Snodaigh*.

[19 May, 2004]

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**57.** An Dáil a chur ar athló.  
Adjournment of the Dáil.

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**BILLÍ I ROGHCHOISTÍ, I gCOISTÍ SPEISIALTA NÓ I gCOMHCHOISTÍ**  
**BILLS IN SELECT, SPECIAL OR JOINT COMMITTEES**

- (l) An Bille um Dhliteanas Sibhialta agus Cúirteanna 2004 [*Seanad*] — An Roghchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan.  
 (a) Civil Liability and Courts Bill 2004 [*Seanad*] — Select Committee on Justice, Equality, Defence and Women's Rights.

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An Bille um Cheartas Coiriúil (Cionta Sceimhlitheoireachta) 2002 — An Roghchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan.  
 Criminal Justice (Terrorist Offences) Bill 2002 — Select Committee on Justice, Equality, Defence and Women's Rights.

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An Bille um an Oifig Náisiúnta d'Fhorbairt Eacnamaíoch agus Shóisialach 2002 — An Roghchoiste um Airgeadas agus an tSeirbhís Phoiblí.  
 National Economic and Social Development Office Bill 2002 — Select Committee on Finance and the Public Service.

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An Bille um Thruailliú na Farraige (Substaintí Guaiseacha agus Díobhálacha) (Dlíteanas Sibhialta agus Cúiteamh) 2000 — An Roghchoiste um Chumarsáid, Muir agus Acmhainní Nádurtha.  
 Sea Pollution (Hazardous and Noxious Substances) (Civil Liability and Compensation) Bill 2000 — Select Committee on Communications, Marine and Natural Resources.

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An Bille um Thruailliú na Farraige (Forálacha Ilghnéitheacha) 2003 [*Seanad*] — An Roghchoiste um Chumarsáid, Muir agus Acmhainní Nádurtha.  
 Sea Pollution (Miscellaneous Provisions) Bill 2003 [*Seanad*] — Select Committee on Communications, Marine and Natural Resources.

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**MEMORANDA**

*Dé Máirt, 6 Iúil, 2004*  
*Tuesday, 6th July, 2004*

**An Bille um Dhliteanas Sibhialta agus Cúirteanna 2004:**  
**Civil Liability and Courts Bill 2004:**

Cruinniú den Roghchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan i Seomra Coiste 2, LH2000, ar 1.30 p.m.  
 Meeting of the Select Committee on Justice, Equality, Defence and Women's Rights in Committee Room 2, LH2000, at 1.30 p.m.

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**Meastacháin (Gnóthaí Eachtracha):**  
**Estimates (Foreign Affairs):**

Cruinniú den Roghchoiste um Ghnóthaí Eachtracha i Seomra Coiste 3, LH2000, ar 2 p.m.  
 Meeting of the Select Committee on Foreign Affairs in Committee Room 3, LH2000, at 2 p.m.

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Cruinniú den Roghchoiste um Chumarsáid, Muir agus Acmhainní Nádurtha i Seomra Coiste 1, LH2000, ar 3 p.m.  
 Meeting of the Select Committee on Communications, Marine and Natural Resources in Committee Room 1, LH2000, at 3 p.m.

Cruinniú den Chomhchoiste ar Airteagal 35.4.1 den Bhunreacht agus ar alt 39 den Acht Cúirteanna Breithiúnais 1924 i Seomra Coiste 4, LH2000, ar 7 p.m. (*príobháideach*).

Meeting of the Joint Committee on Article 35.4.1 of the Constitution and section 39 of the Courts of Justice Act 1924 in Committee Room 4, LH2000, at 7 p.m. (*private*).

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*Dé Céadaoin, 7 Iúil, 2004*  
*Wednesday, 7th July, 2004*

**An Bille um Aerfoirt Stáit 2004:**

**State Airports Bill 2004:**

Cruinniú den Roghchoiste um Iompar i Seomra Coiste 3, LH2000, ar 9.30 a.m.  
Meeting of the Select Committee on Transport in Committee Room 3, LH2000, at 9.30 a.m.

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Cruinniú den Chomhchoiste um Airgeadas agus an tSeirbhís Phoiblí i Seomra Coiste 4, LH2000, ar 3 p.m.

Meeting of the Joint Committee on Finance and the Public Service in Committee Room 4, LH2000, at 3 p.m.

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Cruinniú den Chomhchoiste um Ghnóthaí Eachtracha i Seomra Coiste 1, LH2000, ar 3 p.m. (*príobháideach*).

Meeting of the Joint Committee on Foreign Affairs in Committee Room 1, LH2000, at 3 p.m. (*private*).

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Cruinniú den Choiste um Nós Imeachta agus Pribhléidí i Seomra 2 (tríd an bPríomh-Halla), Teach Laighean, ar 5 p.m. (*príobháideach*).

Meeting of the Committee on Procedure and Privileges in Room 2 (off the Main Hall), Leinster House, at 5 p.m. (*private*).

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Cruinniú den Chomhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan i Seomra Coiste 2, LH2000, ar 6 p.m. (*príobháideach*).

Meeting of the Joint Committee on Justice, Equality, Defence and Women's Rights in Committee Room 2, LH2000, at 6 p.m. (*private*).

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*Déardaoin, 8 Iúil, 2004*  
*Thursday, 8th July, 2004*

Cruinniú den Chomhchoiste um Shláinte agus Leanáí i Seomra Coiste 2, LH2000, ar 9.30 a.m.

Meeting of the Joint Committee on Health and Children in Committee Room 2, LH2000, at 9.30 a.m.

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Cruinniú den Choiste um Chuntais Phoiblí i Seomra Coiste 1, LH2000, ar 11 a.m.  
Meeting of the Committee of Public Accounts in Committee Room 1, LH2000, at 11 a.m.

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Cruinniú den Chomhchoiste um Oideachas agus Eolaíocht i Seomra Coiste 3, LH2000, ar 11.30 a.m.

Meeting of the Joint Committee on Education and Science in Committee Room 3, LH2000, at 11.30 a.m.

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Cruinniú den Fhochoiste um Chearta an Duine i Seomra Coiste 4, LH2000, ar 12 meán lae.

Meeting of the Sub-Committee on Human Rights in Committee Room 4, LH2000, at 12 noon.

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Cruinniú den Chomhchoiste um Ghnóthaí Eorpacha i Seomra Coiste 2, LH2000, ar 2.30 p.m.

Meeting of the Joint Committee on European Affairs in Committee Room 2, LH2000, at 2.30 p.m.

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### **BILLÍ DÁLA SA SEANAD DÁIL BILLS WITH THE SEANAD**

An Bille um Thionóntachtaí Cónaithe 2003.  
Residential Tenancies Bill 2003.

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Bille na Séadchomharthaí Náisiúnta (Leasú) 2004.  
National Monuments (Amendment) Bill 2004.

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An Bille um Choimisiúin Imscrúdúcháin 2003.  
Commissions of Investigation Bill 2003.

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An Bille um Oideachas do Dhaoine a bhFuil Riachtanais Speisialta Oideachais Acu 2003  
*aithraithe ó An Bille um Oideachas do Dhaoine faoi Mhíchumas 2003.*  
Education for Persons with Special Educational Needs Bill 2003 *changed from* Education  
for Persons with Disabilities Bill 2003.

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An Bille Léiriúcháin 2000.  
Interpretation Bill 2000.

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An Bille um Bainistíocht na Seirbhíse Poiblí (Earcaíocht agus Ceapacháin) 2003.  
Public Service Management (Recruitment and Appointments) Bill 2003.

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An Bille um Chomhionannas 2004.  
Equality Bill 2004.

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### **SCRÍBHINNÍ A LEAGADH FAOI BHRÁID NA DÁLA DOCUMENTS LAID BEFORE THE DÁIL**

*Reachtúil:*

1) Togra le haghaidh Cinnidh ón gComhairle maidir leis an seasamh a bheidh le glacadh ag an gComhphobal i ndáil leis an togra chun Coinbhinsiún TIR 1975 a leasú mar aon le nóta faisnéise míniúcháin. COM (2004) 331.

2) Togra le haghaidh Rialacháin ón gComhairle lena leasaítear Rialachán (CE) Uimh. 131/2004 maidir le bearta sriantacha áirithe i leith na Súdáine mar aon le nóta faisnéise míniúcháin. COM (2004) 442.

*Statutory:*

1) Proposal for a Council Decision on the position to be taken by the Community concerning the proposal to amend the TIR Convention 1975 together with explanatory information note. COM (2004) 331.

2) Proposal for a Council Regulation amending Regulation (EC) No. 131/2004 concerning certain restrictive measures in respect of Sudan together with explanatory information note. COM (2004) 442.

- 3) Na Rialacháin um Thrácht ar Bhóithre (Síneacha) (Leasú) 2004 (I.R. Uimh. 403 de 2004).
- 3) Road Traffic (Signs) (Amendment) Regulations 2004 (S.I. No. 403 of 2004).
- 4) Na Rialacháin um Thrácht ar Bhóithre (Trácht agus Locadh) (Leasú) 2004 (I.R. Uimh. 404 de 2004).
- 4) Road Traffic (Traffic and Parking) (Amendment) Regulations 2004 (S.I. No. 404 of 2004).
- 5) An tAcht Cairde Talmhaíochta 1978. Ráiteas maidir le ráthaíochtaí a thug an tAire Airgeadais i leith iasachta a fuair Banc ACC cpt. Mar a bhí an 31 Nollaig, 2003.
- 5) Agricultural Credit Act 1978. Statement regarding guarantees given by the Minister for Finance in respect of borrowing by ACC Bank plc. Position at 31 December, 2003.
- 6) An tAcht Gáis 1976. Ráiteas maidir le ráthaíochtaí a thug an tAire Airgeadais i leith iasachta a fuair Bord Gáis Éireann. Mar a bhí an 31 Nollaig, 2003.
- 6) Gas Act 1976. Statement regarding guarantees given by the Minister for Finance in respect of borrowing by Bord Gáis Éireann. Position at 31 December, 2003.
- 7) An tAcht Forbartha Móna 1957. Ráiteas maidir le ráthaíochtaí a thug an tAire Airgeadais i leith iasachta a fuair Bord na Móna cpt. Mar a bhí an 31 Nollaig, 2003.
- 7) Turf Development Act 1957. Statement regarding guarantees given by the Minister for Finance in respect of borrowing by Bord na Móna plc. Position at 31 December, 2003.
- 8) An tAcht um Ráthaíochtaí Stáit (Iompar) 1962. Ráiteas maidir le ráthaíochtaí a thug an tAire Airgeadais i leith iasachta a fuair Córas Iompair Éireann. Mar a bhí an 31 Nollaig, 2003.
- 8) State Guarantees (Transport) Act 1962. Statement regarding guarantees given by the Minister for Finance in respect of borrowing by Córas Iompair Éireann. Position at 31 December, 2003.
- 9) An tAcht Iompair 1974. Ráiteas maidir le ráthaíochtaí a thug an tAire Airgeadais i leith iasachta a fuair Córas Iompair Éireann. Mar a bhí an 31 Nollaig, 2003.
- 9) Transport Act 1974. Statement regarding guarantees given by the Minister for Finance in respect of borrowing by Córas Iompair Éireann. Position at 31 December, 2003.
- 10) An tAcht um Chuan Dhún Laoghaire 1994. Ráiteas maidir le ráthaíochtaí a thug an tAire Airgeadais i leith iasachta a fuair Cuideachta Chuan Dhún Laoghaire. Mar a bhí an 31 Nollaig, 2003.
- 10) Dún Laoghaire Harbour Act 1994. Statement regarding guarantees given by the Minister for Finance in respect of borrowing by the Dún Laoghaire Harbour Company. Position at 31 December, 2003.
- 11) An tAcht Leictreachais (Soláthar) (Leasú) 1954. Ráiteas maidir le ráthaíochtaí a thug an tAire Airgeadais i leith iasachta a fuair Bord Soláthair an Leictreachais. Mar a bhí an 31 Nollaig, 2003.
- 11) Electricity (Supply) (Amendment) Act 1954. Statement regarding guarantees given by the Minister for Finance in respect of borrowing by the Electricity Supply Board. Position at 31 December, 2003.
- 12) An tAcht um Ghníomhaireacht Airgeadais do Thithe 1981. Ráiteas maidir le ráthaíochtaí a thug an tAire Airgeadais i leith iasachta a fuair an Ghníomhaireacht Airgeadais do Thithe cpt. Mar a bhí an 31 Nollaig, 2003.
- 12) Housing Finance Agency Act 1981. Statement regarding guarantees given by the Minister for Finance in respect of borrowing by the Housing Finance Agency plc. Position at 31 December, 2003.
- 13) An tAcht Cairde Tionscail (Leasú) 1958. Ráiteas maidir le ráthaíochtaí a thug an tAire Airgeadais i leith iasachta a fuair Banc ICC cpt. Mar a bhí an 31 Nollaig, 2003.
- 13) Industrial Credit (Amendment) Act 1958. Statement regarding guarantees given by the Minister for Finance in respect of borrowing by the ICC Bank plc. Position at 31 December, 2003.
- 14) An tAcht Ráthaíocht Stáit 1954. Ráiteas i dtaobh ráthaíochtaí a thug an tAire Airgeadais i leith iasachtaí ag Coimisinéirí
- 14) State Guarantees Act 1954. Statement regarding guarantees given by the Minister for Finance of borrowings by Waterford

Cuain Phort Láirge, Cork Opera House agus Aer Rianta cpt. Mar a bhí an 31 Nollaig, 2003.

*Neamhreachtúil:*

1) Athbhreithniú Caiteachais ar Chláir san Earnáil Prátaí. (An Roinn Talmhaíochta agus Bia) Aibreán 2004.

2) Tuarascáil maidir le hUachtaránacht na hÉireann ar an Aontas Eorpach, Eanáir - Meitheamh 2004.

3) Rialacháin na gComhphobal Eorpach (Comheagrú Margáí i dTáirgí Iascaigh agus Dobharshaothraithe) (Cúiteamh Airgeadais i leith Tarraingt Siar agus Cúnamh Sall-Iompair) 2004 (I.R. Uimh. 398 de 2004).

4) Tithe an Oireachtais. An Comhchoiste um Chumarsáid, Muir agus Acmhainní Nádúrtha. Tuarascáil Iniúchta AE Uimh. 11: COM (2003) 476 deiridh; COM (2003) 767 deiridh; COM (2004) 76 deiridh. Bealtaine 2004.

5) Tithe an Oireachtais. An Comhchoiste um Chumarsáid, Muir agus Acmhainní Nádúrtha. Tuarascáil Iniúchta AE Uimh. 12: COM (2003) 739 deiridh — Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle maidir le héifeachtacht críoch-úsáide fuinnimh agus seirbhísí fuinnimh. Bealtaine 2004.

6) Tithe an Oireachtais. An Comhchoiste um Chumarsáid, Muir agus Acmhainní Nádúrtha. Tuarascáil Iniúchta AE Uimh. 13: COM (2003) 740 deiridh — Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle maidir le bearta chun áirithiú soláthair leictreachais agus infheistíochta in infrastructúr a chosaint. Bealtaine 2004.

7) Tithe an Oireachtais. An Comhchoiste um Chumarsáid, Muir agus Acmhainní Nádúrtha. Tuarascáil Iniúchta AE Uimh. 14: COM (2003) 741 deiridh — Togra le haghaidh Rialacháin ó Pharlaimint na hEorpa agus ón gComhairle maidir le coinníollacha le haghaidh rochtain ar Líonraí Tarchurtha Gáis. Bealtaine 2004.

8) Tithe an Oireachtais. An Comhchoiste um Chumarsáid, Muir agus Acmhainní Nádúrtha. Tuarascáil Iniúchta AE Uimh. 15: COM (2003) 451 deiridh — Togra le haghaidh Rialacháin ón gComhairle lena

Harbour Commissioners, Cork Opera House and Aer Rianta plc. Position at 31 December, 2003.

*Non-Statutory:*

1) Expenditure Review of Programmes in the Potato Sector. (Department of Agriculture and Food) April 2004.

2) Report on Ireland's Presidency of the European Union, January - June 2004.

3) European Communities (Common Organisation of Markets in Fishery and Aquaculture Products) (Financial Compensation for Withdrawal and Carry-over Aid) Regulations 2004 (S.I. No. 398 of 2004).

4) Houses of the Oireachtas. Joint Committee on Communications, Marine and Natural Resources. EU Scrutiny Report No. 11: COM (2003) 476 final; COM (2003) 767 final; COM (2004) 76 final. May 2004.

5) Houses of the Oireachtas. Joint Committee on Communications, Marine and Natural Resources. EU Scrutiny Report No. 12: COM (2003) 739 final — Proposal for a Directive of the European Parliament and of the Council on energy end-use efficiency and energy services. May 2004.

6) Houses of the Oireachtas. Joint Committee on Communications, Marine and Natural Resources. EU Scrutiny Report No. 13: COM (2003) 740 final — Proposal for a Directive of the European Parliament and of the Council concerning measures to safeguard security of electricity supply and infrastructure investment. May 2004.

7) Houses of the Oireachtas. Joint Committee on Communications, Marine and Natural Resources. EU Scrutiny Report No. 14: COM (2003) 741 final — Proposal for a Regulation of the European Parliament and of the Council on conditions for access to Gas Transmission Networks. May 2004.

8) Houses of the Oireachtas. Joint Committee on Communications, Marine and Natural Resources. EU Scrutiny Report No. 15: COM (2003) 451 final — Proposal for a Council Regulation laying

leagtar síos bearta a bhaineann le gabhálacha teagmhasacha orc in iascaigh agus lena leasaítear Rialachán (CE) Uimh. 88/98. Bealtaine 2004.

9) Tithe an Oireachtais. An Comhchoiste um Chumarsáid, Muir agus Acmhainní Nádirtha. Tuarascáil Iniúchta AE Uimh. 16: COM (2004) 166, togra le haghaidh Rialacháin ón gComhairle lena socraítear an uas-iarracht bhliantúil iascaireachta i leith limistéar agus iascach áirthe. Meitheamh 2004.

down measures concerning incidental catches of cetaceans in fisheries and amending Regulation (EC) No. 88/98. May 2004.

9) Houses of the Oireachtas. Joint Committee on Communications, Marine and Natural Resources. EU Scrutiny Report No. 16: COM (2004) 166, a proposal for a Council Regulation fixing the maximum annual fishing effort for certain fishing areas and fisheries. June 2004.

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