

Dé Máirt, 15 Samhain, 2005
Tuesday, 15th November, 2005

2.30 p.m.

ORD GNÓ
ORDER OF BUSINESS

- 10.** Tairiscint *maidir le* Ceadú beartaithe ag Dáil Éireann i ndáil le Creat-Chinneadh ón gComhairle maidir leis an mBarántas Fianaise Eorpach chun rudaí, doiciméid agus sonraí a fháil lena n-úsáid in imeachtaí i gcúrsaí coiriúla a Tharchur chuig Comhchoiste.
Motion *re* Referral to Joint Committee of proposed approval by Dáil Éireann for a Council Framework Decision on the European Evidence Warrant for obtaining objects, documents and data for use in proceedings in criminal matters.
- 17.** An Bille um an Dlí Coiriúil (Gealtacht) 2002 [*Seanad*] — An Dara Céim (*atógáil*).
Criminal Law (Insanity) Bill 2002 [*Seanad*] — Second Stage (*resumed*).
- 1.** An Bille um Fhostaithe (Faisnéis agus Comhchomhairle a Sholáthar) 2005 [*Seanad*]
— An Dara Céim.
Employees (Provision of Information and Consultation) Bill 2005 [*Seanad*]
— Second Stage.

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS' BUSINESS

- 43.** Tairiscint *maidir leis* an Acht Iomaíochta 2002 a Athchóiriú.
Motion *re* Reform of the Competition Act 2002.

I DTOSACH GNÓ PHOIBLÍ
AT THE COMMENCEMENT OF PUBLIC BUSINESS

Billí ón Seanad : Bills from the Seanad

1. An Bille um Fhostaithe (Faisnéis agus Comhchomhairle a Sholáthar) 2005 [*Seanad*]
— An Dara Céim.
Employees (Provision of Information and Consultation) Bill 2005 [*Seanad*]
— Second Stage.

2. An Bille um Chlárú Gníomhas agus Teidil 2004 [*Seanad*] — An Dara Céim.
Registration of Deeds and Title Bill 2004 [*Seanad*] — Second Stage.

3. An Bille Aerloingseoireachta (Eurocontrol) 2005 [*Seanad*] — An Dara Céim.
Air Navigation (Eurocontrol) Bill 2005 [*Seanad*] — Second Stage.

Billí a thionscnamh : Initiation of Bills

Tíolactha:

Presented:

4. An Bille Iascaigh Mara agus Dlínse Muirí 2005 — Ordú don Dara Céim.
Sea-Fisheries and Maritime Jurisdiction Bill 2005 — Order for Second Stage.

Bille dá ngairtear Acht d'athmheas, maille le leasuithe, Cuid XIII den Acht Iascaigh (Comhdhlúthú) 1959 agus na nAchtanna um Dhlínse Mhuirí 1959 go 1988, do leasú agus do leathnú na nAchtanna Iascaigh 1959 go 2003, an Achta Loingis Thráchtála 1955, an Achta um Lárionaid Chuanta Iascaigh 1968, an Achta um Dhumpáil ar Farraige 1996 agus an Achta um Shábháilteacht Mhuirí 2005, do leasú nó d'aisghairm achta-chán áirithe agus do dhéanamh socrú i dtaobh nithe comhghaolmhara.

Bill entitled an Act to revise with amendments Part XIII of the Fisheries (Consolidation) Act 1959 and the Maritime Jurisdiction Acts 1959 to 1988, to amend and extend the Fisheries Acts 1959 to 2003, the Mercantile Marine Act 1955, the Fishery Harbour Centres Act 1968, the Dumping at sea Act 1996 and the Maritime Safety Act 2005, to amend or repeal certain enactments and to provide for connected matters.

— *An tAire Cumarsáide, Mara agus Acmhainní Nádirtha.*

5. 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 urscaoil-eadh; 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

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;

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.

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.*

6. An Bille um an Ochtú Leasú is Fiche ar an mBunreacht 2005 — Ordú don Dara Céim.

Twenty-eighth Amendment of the Constitution Bill 2005 — Order for Second Stage.

Bille dá ngairtear Acht chun an Bunreacht a leasú. Bill entitled an Act to amend the Constitution.

— *An tAire Gnóthaí Eachtracha.*

7. 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.*

8. 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.*

9. An Bille um Chomhairle (Leasú) 2004 — Ordú don Dara Céim.

Comhairle (Amendment) Bill 2004 — Order for Second Stage.

Bille dá ngairtear Acht do leasú an Achta um Chomhairle 2000 chun feidhmeanna Chomhairle a leasú agus a leathnú, do dhéanamh athruithe áirithe ar a comhaltas agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to amend the Comhairle Act 2000 to amend and extend the functions of Comhairle, to make certain changes to its membership and to provide for related matters.

— *An tAire Gnóthaí Sóisialacha agus Teaghlaigh.*

Fógraí Tairisceana : Notices of Motions

10. “Go ndéanfar an togra go gceadaíonn Dáil Éireann an Stát d’fheidhmiú an roghnaithe nó na rogha, arna gcur ar fáil le

That the proposal that Dáil Éireann approves the exercise by the State of the option or discretion, provided by Article

hAirteagal 1.11 de Chonradh Amstardam, a bheith páirteach i nglacadh an bhirt bheartaithe seo a leanas:

togra le haghaidh Creatchinnidh ón gComhairle maidir leis an mBarántas Fianaise Eorpach chun rudaí, doiciméid agus sonraí a fháil lena n-úsáid in imeachtaí i gcúrsaí coiriúla,

ar beart é ar leagadh cóip de faoi bhráid Dháil Éireann an 9 Samhain, 2005 a tharchur chuig an gComhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan de réir mhír (2) d'Orduithe Tagartha an Choiste sin, agus déanfaidh an Coiste sin, tráth nach déanaí ná an 29 Samhain, 2005, teachtaireacht a chur chuig an Dáil ar an modh a fhorordaítear i mBuan-Ordú 85, agus go mbeidh feidhm ag Buan-Ordú 84(2) dá réir sin.

— *Tomás Ó Ceit, Aire Stáit ag Roinn an Taoisigh.*

11. “Go gceadaíonn Dáil Éireann téarmaí an Chomhaontaithe athbhreithnithe ar Shlán-dáil Shóisialach idir Rialtas na hÉireann agus Rialtas na hAstráile a síníodh i mBaile Átha Cliath an 9 Meitheamh, 2005 agus a leagadh faoi bhráid Dháil Éireann an 27 Deireadh Fómhair, 2005.

“That Dáil Éireann approves the terms of the revised Agreement on Social Security between the Government of Ireland and the Government of Australia which was signed at Dublin on the 9th June, 2005 and was laid before Dáil Éireann on the 27th October, 2005.”

— *An tAire Gnóthaí Sóisialacha agus Teaghlaigh.*

12. “Go gceadaíonn Dáil Éireann téarmaí an Chomhaontaithe idir Rialtas na hÉireann agus Rialtas Phoblacht na Bulgáire ar chomh-oibriú maidir le gáinneáil aindleathach drugaí agus réamhtheachtaithe, sciúradh airgid, coireacht eagraithe, gáinneáil ar dhaoine, sceimhlitheoireacht agus coireacht thromchúiseach eile a chomhrac a síníodh i mBaile Átha Cliath an 31 Eanáir, 2002, agus ar leagadh cóipeanna de faoi bhráid Dháil Éireann an 21 Feabhra, 2002.

That Dáil Éireann approves the terms of the Agreement between the Government of Ireland and the Government of the Republic of Bulgaria on co-operation in combating illicit trafficking in drugs and precursors, money laundering, organised crime, trafficking in persons, terrorism and other serious crime which was signed in Dublin on 31st January, 2002, copies of which were laid before Dáil Éireann on 21st February, 2002.”

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

13. “Go gceadaíonn Dáil Éireann téarmaí an Chomhaontaithe idir Rialtas na hÉireann agus Rialtas Phoblacht na Cipire ar chomh-oibriú maidir le gáinneáil aindleathach drugaí, sciúradh airgid, coireacht eagraithe, gáinneáil ar dhaoine, sceimhlitheoireacht agus coireacht thromchúiseach eile a chomhrac a síníodh i mBaile Átha Cliath an 8 Márta, 2002, agus ar leagadh cóipeanna de faoi bhráid Dháil Éireann an 21 Márta, 2002.

That Dáil Éireann approves the terms of the Agreement between the Government of Ireland and the Government of the Republic of Cyprus on co-operation in combating illicit drug trafficking, money laundering, organised crime, trafficking in persons, terrorism and other serious crime which was signed in Dublin on 8th March, 2002, copies of which were laid before Dáil Éireann on 21st March, 2002.”

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

1.11 of the Treaty of Amsterdam, to take part in the adoption of the following proposed measure:

a proposal for a Council Framework Decision on the European Evidence Warrant for obtaining objects, documents and data for use in proceedings in criminal matters,

a copy of which measure was laid before Dáil Éireann on 9th November, 2005 before referred to the Joint Committee on Justice, Equality, Defence and Women’s Rights in accordance with paragraph (2) of the Orders of Reference of that Committee, which, not later than 29th November, 2005, shall send a message to the Dáil in the manner prescribed in Standing Order 85, and Standing Order 84(2) shall accordingly apply.”

14. “Go gceadaíonn Dáil Éireann téarmaí an Chomhaontaithe idir Rialtas na hÉireann agus Rialtas Phoblacht na Polainne ar chomhoibriú maidir le coireacht eagraithe agus coireacht thromchúiseach eile a chomhrac, a síníodh i Vársá an 12 Bealtaine, 2001, agus ar leagadh cóipeanna de faoi bhráid Dháil Éireann an 31 Bealtaine, 2002.

That Dáil Éireann approves the terms of the Agreement between the Government of Ireland and the Government of the Republic of Poland on co-operation in combating organised crime and other serious crime which was signed in Warsaw on 12th May, 2001, copies of which were laid before Dáil Éireann on 31st May, 2002.”

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

15. “Go gceadaíonn Dáil Éireann an Stát d’fheidhmiú an roghnaithe nó na rogha, arna gcur ar fáil le hAirteagal 1.11 de Chonradh Amstardam, a bheith páirteach i nglacadh an bhirt bheartaithe seo a leanas:

That Dáil Éireann approves the exercise by the State of the option or discretion, provided by Article 1.11 of the Treaty of Amsterdam, to take part in the adoption of the following proposed measure:

togra le haghaidh Creatchinnidh ón gComhairle maidir leis an mBarántas Fianaise Eorpach chun rudaí, doiciméid agus sonraí a fháil lena n-úsáid in imeachtaí i gcúrsaí coiriúla,

a proposal for a Council Framework Decision on the European Evidence Warrant for obtaining objects, documents and data for use in proceedings in criminal matters,

ar beart é ar leagadh cóip de faoi bhráid Dháil Éireann an 9 Samhain, 2005.

a copy of which measure was laid before Dáil Éireann on 9th November, 2005.”

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

16. “Go gceadaíonn Dáil Éireann téarmaí Choinbhinsiún Tampere maidir le Soláthar Acmhainní Teileachumarsáide le haghaidh Maolú Tubaistí agus Oibríochtaí Faoisimh arna ghlacadh an 18 Meitheamh, 1998 i Tampere, An Fhionlainn; ar leagadh cóipeanna de faoi bhráid Dháil Éireann an 28 Deireadh Fómhair, 2005, faoi réir an fhorchoimeádais seo a leanas:

That Dáil Éireann approves the terms of the Tampere Convention on the Provision of Telecommunications Resources for Disaster Mitigation and Relief Operations as adopted on the 18th June, 1998 in Tampere, Finland; copies of which were laid before Dáil Éireann on the 28th October, 2005, subject to the following reservation:

A mhéid a bheidh forálacha áirithe de chuid Choinbhinsiún Tampere maidir le Soláthar Acmhainní Teileachumarsáide le haghaidh Maolú Tubaistí agus Oibríochtaí Faoisimh laistigh de limistéar freagrachta an Chomphobail Eorpaigh, go gcaithfidh Éire an Choinbhinsiún a chur i ngníomh de réir nósanna imeachta na heagraíochta idirnáisiúnta seo.

To the extent to which certain provisions of the Tampere Convention on the Provision of Telecommunications Resources for Disaster Mitigation and Relief Operations fall within the area of responsibility of the European Community, the full implementation of the Convention by Ireland has to be done in accordance with the procedures of this international organisation.”

— *An tAire Cumarsáide, Mara agus Acmhainní Nádúrtha.*

ORDUITHE AN LAE ORDERS OF THE DAY

17. An Bille um an Dlí Coiriúil (Gealtacht) 2002 [*Seanad*] — An Dara Céim (*atógáil*).
Criminal Law (Insanity) Bill 2002 [*Seanad*] — Second Stage (*resumed*).

18. Ráitis maidir le Tithíocht.
Statements on Housing.

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

20. An Bille um an Oifig Náisiúnta d’Fhorbairt Eacnamaíoch agus Shóisialach 2002
— Ordú don Tuarascáil.
National Economic and Social Development Office Bill 2002 — Order for Report.

21. (l) An Bille um Fhorghníomhú Pianbhreitheanna a Aistriú 2003 [*Seanad*] — An
Tuarascáil (*Leasú 17, atógáil*).
(a) Transfer of Execution of Sentences Bill 2003 [*Seanad*] — Report (*Amendment 17,*
resumed).

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

23. Tairiscintí Airgeadais ón Aire Airgeadais [2004] (*Tairiscint 2, atógáil*).
Financial Motions by the Minister for Finance [2004] (*Motion 2, resumed*).

Tairiscint (atógáil):

Motion (resumed):

24. “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, Comhion-
annais 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

(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,

den Chúirt Chuarda, agus seoladh tí cónaithe 24 Ard na Lí, Trá Lí, Co. Chiarraí aige, an duine sin,

- (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 chomh-alta den Gharda Síochána an 20 Bealtaine 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 údarais 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 Leanaí agus Pornagrafaíocht Leanaí 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.

agus

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.

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

with a home address of 24 Ard na Lí, Tralee, Co. Kerry,

- (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) 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.

and

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."

25. Tairiscintí Airgeadais ón Aire Airgeadais [2003] (*Tairiscint 5, atógáil*).
Financial Motions by the Minister for Finance [2003] (*Motion 5, resumed*).
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26. Tairiscintí Airgeadais ón Aire Airgeadais [2002] (*Tairiscint 11, atógáil*).
Financial Motions by the Minister for Finance [2002] (*Motion 11, resumed*).
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27. Ráitis faoin Tuarascáil maidir le Saincheisteanna Áirithe Bainistíochta agus Riaracháin sa Roinn Sláinte agus Leanaí a bhaineann leis an gcleachtas i dtaobh táillí do dhaoine i gcúram fadchónaí i bhForais Boird Sláinte agus le nithe gaolmhara (*atógáil*).
Statements on the Report on Certain Issues of Management and Administration in the Department of Health and Children associated with the practice of charges for persons in long-stay care in Health Board Institutions and related matters (*resumed*).
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GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS' BUSINESS

Gnó a ordáíodh:
Business ordered:

28. An Bille um Misin Síochána Idirnáisiúnta 2003 — An Dara Céim.
International Peace Missions Bill 2003 — Second Stage.
— *Gay Mitchell and Dinny McGinley*.
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29. Bille an tSamáraigh Mhaith 2005 — An Dara Céim.
Good Samaritan Bill 2005 — Second Stage.
— *Billy Timmins*.
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30. An Bille Fluairíde (Achtacháin a Aisghairm) 2005 — An Dara Céim.
Fluoride (Repeal of Enactments) Bill 2005 — Second Stage.
— *John Gormley*.
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31. An Bille um Choimisinéir Clárúcháin Toghcháin 2005 — An Dara Céim.
Electoral Registration Commissioner Bill 2005 — Second Stage.
— *Eamon Gilmore*.
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32. An Bille um Fhorbairt Pheitríliam agus Mianraí Eile 2005 — An Dara Céim.
Petroleum and Other Minerals Development Bill 2005 — Second Stage.
— *Thomas P. Broughan*.
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33. An Bille Loingis Thráchtála (Bratacha Áisiúlachta a Sheachaint) 2005 — An Dara Céim.
Mercantile Marine (Avoidance of Flags of Convenience) Bill 2005 — Second Stage.
— *Thomas P. Broughan*.
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34. 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'Keefe*.
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- 35.** An Bille chun Mangairí Ticéad a Thoirmeasc 2005 — An Dara Céim.
Prohibition of Ticket Touts Bill 2005 — Second Stage.
— *Jimmy Deenihan.*
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- 36.** An Bille Fíneálacha 2004 — An Dara Céim.
Fines Bill 2004 — Second Stage.
— *Jim O’Keeffe.*
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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 Pleanáil agus Forbairt (Leasú) (Uimh. 3) 2004 — An Dara Céim.
Planning and Development (Amendment) (No. 3) Bill 2004 — Second Stage.
— *Eamon Gilmore.*
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- 39.** An Bille um Thoghcháin Áitiúla 2003 — An Dara Céim.
Local Elections Bill 2003 — Second Stage.
— *Eamon Gilmore.*
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- 40.** An Bille um Atáirgeadh Daonna 2003 — An Dara Céim.
Human Reproduction Bill 2003 — Second Stage.
— *Mary Upton.*
-
- 41.** An Bille um Chlárú Brústocairí 2003 — An Dara Céim.
Registration of Lobbyists Bill 2003 — Second Stage.
— *Pat Rabbitte.*
-
- 42.** An Bille Cosanta (Leasú) 2005 — An Dara Céim.
Defence (Amendment) Bill 2005 — Second Stage.
— *Billy Timmins.*
-

Fógraí Tairisceana:

Notices of Motions:

43. “That Dáil Éireann:

notes,

- the continued presence of excessive charging resulting in higher prices and reduced spending power for consumers;
- that since 1996 the Competition Authority has not secured one significant or meaningful criminal conviction for breach of the Competition Acts; and
- the insufficient resources allocated to the Competition Authority to do its work;

calls for reform of the Competition Act 2002 to allow for:

- the creation of a category of ‘Super Complaints’ that can be made by bodies including the Director of Consumer Affairs, the Consumer Association of Ireland, IFSRA, the Financial Services Ombudsman and the Insurance Ombudsman;

- the publication by the Competition Authority of an annual report on the implications of State action for competition in the provision of goods and services which identifies areas where the State, either through direct involvement in the economy, or through regulatory systems, has restricted, inhibited or prevented competition;
- the referral of Directors of companies found to be in breach of competition law to the ODCE for possible disqualification;
- the setting of a 30 day deadline by which time the Competition Authority should have responded to a complaint of anti-competitive practices;
- the outlawing of predatory pricing; and

calls on the Minister for Enterprise, Trade and Employment to significantly increase the resources of the Competition Authority.” — *Phil Hogan, Enda Kenny, Richard Bruton, Bernard Allen, Pat Breen, Paul Connaughton, Simon Coveney, Seymour Crawford, John Deasy, Jimmy Deenihan, Bernard J. Durkan, Damien English, Olwyn Enright, Tom Hayes, Phil Hogan, Paul Kehoe, Padraic McCormack, Shane McEntee, 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, Liam Twomey.*

[15 November, 2005]

44. “That Dáil Éireann,

- recognising the importance of Bewley’s cafés to the social, economic and cultural life of Dublin City;
- cognisant of the State’s role in the operation of the Great Southern Hotels Group and Restaurant Na Mara in Dún Laoghaire; and recognising the role of the National Trust in securing the future of the Crown Bar in Belfast;
- acknowledging the historical significance of the cafés in the literary and historic life of the capital and its importance as a theatrical venue;
- noting that the premises at Westmoreland Street and Grafton Street are protected structures and worthy of protection in the Dublin City development plan;
- recognising the need to facilitate continued public access and viewing of the artistic excellence of the stained glass windows created by the late Harry Clarke;
- acknowledging the emphasis that the Bewley family placed on the sourcing of fresh foods directly from farms and producers; and

calls on the Taoiseach, the Minister for Arts, Sports and Tourism and the Minister for Enterprise, Trade and Employment, to intercede and purchase the leases, freehold and furnishings of the cafés, and subsequently either franchise the cafés out to an operator who will uphold and continue the tradition of hospitality and excellence that the cafés offer to Dubliners, Irish people and visitors from abroad or alternatively use the Bewley’s premises to promote the history and cultural life of Dublin as well as retaining a partial café function and thereby safeguard this important cultural institution.” — *Trevor Sargent, John Gormley, Dan Boyle, Ciarán Cuffe, Eamon Ryan, Paul Gogarty.*

[30 November, 2004]

45. “That Dáil Éireann, conscious of the inexcusable delay in the consideration in select committee of the Whistleblowers Protection Bill 1999, which was introduced on the 24th March, 1999, given a second reading and referred to the Select Committee on Enterprise and Small Business on the 16th June, 1999, lapsed on the dissolution of the 28th Dáil and was the subject of a resolution of the 18th June, 2002, restoring it to the Order Paper,

Resolves that, notwithstanding anything in Standing Orders—

- (1) the Order of the Dáil of the 18th June, 2002, to the extent that it orders that the Whistleblowers Protection Bill 1999 be considered in Committee of the whole Dáil, be discharged and that the Bill be referred to the Select Committee on Enterprise and Small Business pursuant to Standing Order 112 and paragraph (1)(a)(i) of the Committee's Orders of Reference,
- (2) that it be an Instruction to the Select Committee that proceedings on the Bill be commenced as the next immediate item of business of the Committee and be progressed with all due expedition and that, immediately after the conclusion of those proceedings, the Committee shall, in accordance with Standing Order 85, send a message to the Dáil in relation to the completion of its consideration of the Bill: Provided that, if those proceedings are not earlier concluded, the Select Committee shall report back to the Dáil its progress on those proceedings on the 1st day of March, 2005.' — *Pat Rabbitte, Michael D. Higgins, Liz McManus, Emmet Stagg, Thomas P. Broughan, Joan Burton, Joe Costello, Eamon Gilmore, Brendan Howlin, Kathleen Lynch, Breda Moynihan-Cronin, Jan O'Sullivan, Brian O'Shea, Seamus Pattison, Willie Penrose, Ruairi Quinn, Seán Ryan, Joe Sherlock, Róisín Shortall, Mary Upton, Jack Wall.* [3 December, 2004]

46. “That Dáil Éireann,

notes the recent examples of the Government's appalling incompetence across many areas including the:

- complete lack of urgency regarding climate change, the greatest crisis facing our planet, including the uncertainty which the Government has allowed to develop over the future role of wind and other renewable energy technologies at a time when it is imperative that we reduce greenhouse gas emissions;
- legal action being taken by the EU Commission against the Government for eight breaches of environmental law;
- continuing indecision on major public transport projects such as the Dublin Metro while at the same time trying to shift the blame for delays onto environmental groups;
- increases in rail and bus fares at a time when we need more than ever to encourage people to switch to public transport;
- plan to increase the capacity of the M50 in the knowledge that the widened motorway will be congested from the day it opens and with air pollution levels already exceeding EU limits in places along the route;
- insistence on driving the M3 by the Hill of Tara through one of the richest areas of heritage sites in the country;
- end of the Tánaiste's honeymoon period in the Department of Health and Children being marked by record numbers on trolleys in Accident and Emergency departments;
- closure of Smurfit's Paper Mills, being the latest blow to recycling infrastructure in Ireland following on the closure of the Irish Glass Bottle Company in Ringsend;
- legal problems and nationwide inconsistencies with waste charge waivers;
- ongoing failure of Government to require energy efficiency standards at least in line with the EU Directive on Energy Performance of Buildings;
- escalating cost of childcare now consuming 20% of earnings compared to an EU average of 12%;

- rejection by the Minister for Education and Science of plans to reform the senior cycle on cost grounds without ever having carried out an analysis of such costs;
- proposal for electronic tagging as a lazy alternative to imprisonment while the probation service goes under-resourced;
- closure of Media Lab, the centrepiece of the Government's Digital Hub initiative, after €35m of public money was pumped into it;
- closure of Carlow sugar factory with the loss of over 300 jobs and the loss of over 1,000 jobs around the country in the first 3 weeks of 2005; and

calls on the Government to:

- act urgently to reduce Ireland's dependence on fossil fuels for 87% of its energy needs by investing in alternative energy sources;
- provide the resources necessary to allow the EPA to efficiently do its job of protecting our environment;
- proceed speedily with the Dublin Metro, the Western Rail Corridor and other public transport projects which provide the only long term solutions to the country's transport problems;
- reverse the increases in rail and bus fares and to subsidise public transport to make it more attractive to motorists;
- ensure that tolling of roads is used to manage traffic properly rather than to make obscene amounts of money for private companies;
- seriously consider alternative plans to cater for traffic using the N3 such as link roads to the existing M1;
- properly fund and staff the primary health care strategy launched over three years ago and deliver on the 3,000 beds promised in the Government's health strategy;
- invest in recycling enterprises not incinerators and properly monitor what happens waste exported for recycling outside this country to ensure that it is not simply going to landfill;
- increase social welfare with a special waste allowance of €5 to €7 per week;
- implement the EU Directive on Energy Performance of Buildings by the target date of January 2006 without seeking any derogations;
- belatedly make provision for childcare which was ignored in the December Budget;
- move without delay towards costing a continuous assessment programme at senior cycle that moves towards a new curriculum that caters for the needs of existing students, encourages creativity and independent learning and positions us for the economic challenges that lie ahead;
- properly resource the probation service so that community service schemes can be used more widely as a far more constructive solution than prison or tagging;
- investigate how the money pumped into Media Lab was spent and the seemingly large expenditure on consultants involved in the development of the Digital Hub; and
- convert the Carlow sugar factory to the production of ethanol for transport fuel.”

— *Trevor Sargent, John Gormley, Dan Boyle, Ciarán Cuffe, Eamon Ryan, Paul Gogarty.*

[26 January, 2005]

47. “That Dáil Éireann:

notes the following:

- acknowledgement by Government of the significant underspend in the E.S.I.O.P. under the N.D.P. in the B.M.W. region;
- that additional monies over and above the N.D.P. have been spent in the South and East region without a proportionate amount being spent in the B.M.W. region;
- the inadequate infrastructure in the B.M.W. region has serious social and economic consequences in the areas of tourism, employment and business development;
- the apparent change of emphasis by Government from the two region approach for investment to focusing on the National Spatial Strategy; and
- that a new ten year transport plan is about to be launched,

calls on the Government to address the regional imbalance in investment in the B.M.W. region by announcing under the ten year public transport plan a commitment to ring fence €365 million in the first five years of the plan to introduce modern passenger and freight services on the Western Rail Corridor, and

notes that the Western Rail Corridor Project:

- represents a flagship project for the region connecting 18 towns on the Western Rail Corridor to a further 20 towns, served by existing mainline rail services in the West of Ireland;
- it is completely compatible with the National Spatial Strategy;
- it connects 3 gateways Sligo, Galway and Limerick and four hub towns Ballina, Castlebar, Tuam and Ennis;
- it can be completed within a five year period;
- it is the only North-South railway line in the region, as it intersects the 4 existing east west radial routes from Dublin to: Sligo, Mayo, Galway and Limerick;
- it has the potential to develop freight business and reduce the level of expenditure on road maintenance, accident costs and congestion; and
- it has huge benefits in the areas of public transport, business development and tourism.” — *Beverley Cooper-Flynn*.

[23 March, 2005]

48. “That Dáil Éireann:

notes that,

- Irish primary schools have the second highest class sizes in the European Union;
- no improvements in mainstream class sizes have been made in the past three years;
- additional teachers are also urgently required to meet the needs of pupils with special educational needs and the needs of pupils from disadvantaged communities; and
- supports the campaign being led by the INTO with the support of local school communities to secure improved staffing levels for our primary schools so that primary classes are reduced to European norms in accordance with best practice, as promised in the Programme for Government, 2002-2007; and

- calls on the Government to allocate increased resources for primary education, including specifically a reduction in primary class size, as a matter of national importance that warrants immediate action.” — *Paul Gogarty, Trevor Sargent, John Gormley, Dan Boyle, Eamon Ryan, Ciarán Cuffe.* [23 March, 2005]

49. “That Dáil Éireann:

- noting that the average class size at primary level in Ireland is higher than the OECD average and amongst the highest in the European Union;
- acknowledging that smaller classes make a real difference to children’s education, and are particularly important for younger children to ensure that they begin their primary schooling on the right foot and avoid educational difficulties later;
- noting that educational disadvantage continues to be a considerable problem throughout the education system as a whole, and that each year more than 1,000 children fail to make the transition from primary to secondary school; and
- concerned that many children within the education system are not reaching their educational potential due to overcrowding, the lack of basic facilities and the lack of action in challenging educational disadvantage;

calls on the Government to:

- ensure that average class sizes are reduced at primary level, particularly in junior classes where at present 80% of children are in classes greater than 20;
- recognise that class sizes in schools designated as disadvantaged should be further reduced, to give children at risk of educational disadvantage the best opportunities for learning and developing through education;
- take immediate action to tackle early school leaving to ensure that all children complete primary schooling and continue on to second level, and publish in full the recent reports on educational disadvantage that have been received by the Department of Education and Science; and
- ensure that all children benefit from the use of the most up-to-date and appropriate teaching methods, and that each child’s educational potential is tapped fully and supported through the best possible teaching methods.” — *Olwyn Enright, Enda Kenny, Richard Bruton, Bernard Allen, Pat Breen, Paul Connaughton, Simon Coveney, Seymour Crawford, John Deasy, Jimmy Deenihan, Bernard J. Durkan, Damien English, 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, Liam Twomey.* [12 April, 2005]

50. “That Dáil Éireann:

notes the following matters of grave concern,

- approximately half a million tons of waste has been illegally dumped in County Wicklow;
- a new housing estate has been built within 20 metres of one of the illegal landfills;

condemns the Government for its failure to deal with the issue of illegal waste; and

calls on the Minister for the Environment, Heritage and Local Government to issue a general direction, as per section 60 of the Waste Management Act 1996, to the relevant authorities to have the illegally dumped waste immediately removed at:

- the site known as O’Reillys, Whitestown, Stratford on Slaney, County Wicklow;

- the Roadstone Lands at Blessington, County Wicklow; and
- any other known areas.” — *Billy Timmins, Enda Kenny, Richard Bruton, Bernard Allen, Pat Breen, Paul Connaughton, Simon Coveney, Seymour Crawford, John Deasy, Jimmy Deenihan, Bernard J. Durkan, Damien English, Olwyn Enright, Tom Hayes, Phil Hogan, Paul Kehoe, Pádraic McCormack, Shane McEntee, 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, Liam Twomey.*

[20 April, 2005]

51. “That Dáil Éireann:

- recognising the potential of Knock International Airport as a major contributor to regional development in the West;
- recognising that Knock Airport can significantly influence the attraction of indigenous and inward investment;
- recognising that Knock Airport is an integral part of the National Spatial Strategy with a catchment area comprising the Gateways of Sligo and Galway and the hub centres of Ballina, Castlebar and Tuam;
- recognising the key role of Knock Airport as a generator of inward tourism traffic;
- recognising the inadequate level of funding of Knock Airport; and

calls on the Government to:

- confirm the primacy of Knock Airport as the international access point of the B.M.W region;
- confirm the need to build on the potential of Knock Airport in creating employment and investment opportunities;
- confirm a commitment to meaningful and realistic support for the Airport; and
- develop new mechanisms for the funding of regional airports to take account of their vital role in regional development.” — *Beverley Cooper-Flynn.*

[24 May, 2005]

52. “That Dáil Éireann:

acknowledges the,

- central role of the postal services in the social and economic life of the country;
- commitment of the post office, collection and distribution services since the foundation of the State;
- ongoing need for the provision of a modern, efficient and competitive postal service through An Post, in keeping with the demands and requirements of the domestic and industrial consumer;
- potential value of the broadly based network of post offices, sub-post offices and staff; and
- need for the necessary legislative or management decisions required to facilitate the provision of postal, packaging and transmission services in the future;

calls on the Government to:

- address the poor labour relations situation within An Post which has caused unease and distrust in the workforce and clarify the circumstances whereby salary or pension payments or increases, due or anticipated, have not been met;

- create the climate to facilitate the retention of the post office network including sub-post offices and the provision of a modern, competitive, efficient postal service in-line with the increasing needs of the consumer;
 - recognise the existence of a public service obligation;
 - provide for the modernisation of the collection, distribution and counter services using modern technology;
 - facilitate the development and extension of a wide range of compatible services through the post offices; and
 - encourage all Government Departments, including the Department of Social and Family Affairs to use the services of An Post for payments or other financial transactions or transmissions.” — *Bernard J. Durkan, Enda Kenny, Richard Bruton, Bernard Allen, Pat Breen, Paul Connaughton, Simon Coveney, Seymour Crawford, John Deasy, Jimmy Deenihan, Damien English, Olwyn Enright, Tom Hayes, Phil Hogan, Paul Kehoe, Pádraic McCormack, Shane McEntee, 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, Liam Twomey.*
- [25 May, 2005]

53. “That Dáil Éireann in accordance with section 7 (2) of the Comptroller and Auditor General Act 1923 as amended by section 21 of the Comptroller and Auditor General and Committees of the Houses of the Oireachtas (Special Provisions) Act 1998, requests the Comptroller and Auditor General to conduct an examination of the administration, by the Minister for Justice, Equality and Law Reform, of the purchase of 150 acres of land for the purpose of a prison and mental hospital at Thornton, Kilsallaghan, County Dublin for €29.9 million; and

requests the Comptroller and Auditor General to prepare a report in writing of the results of that examination and if he considers it appropriate to do so, prepare an interim report in writing on any matter in relation to it, and cause any report to be furnished to the Clerk of Dáil Éireann and, if he considers it appropriate to do so, cause a copy of any such report to be furnished to the Clerk of the Committee of Public Accounts of Dáil Éireann.” — *Joe Higgins, Jerry Cowley, Tony Gregory, Finian McGrath, Catherine Murphy, Paddy McHugh.*

[28 September, 2005]

54. “That Dáil Éireann notes the continuing incompetence of the Government over the 12-week summer recess in the following areas:

- the scandal of the imprisonment of five citizens from Rosspoint, County Mayo for the crime of protecting their families and community;
- the failure of the Minister for Health and Children’s 10-point plan to deliver the promised relief of overcrowding in Accident and Emergency by autumn this year;
- the continuing absence of real choice for parents in the area of childcare;
- the completely inadequate response to the Morris Tribunal report in which even in the minimal decision to transfer the Gardaí criticised in the report has not been acted upon;
- children returning this September to schools that have the second highest class size in Europe;
- the cutback by FÁS of 25% in all basic reading and maths classes despite the fact that the Annual Competitiveness Report identified a lack of participation in adult education;

- Ireland now has the third highest level of poverty of 18 industrialised countries despite being the second richest country in the world;
- the Government's extraordinary request to reallocate €5m of funding away from sustainable energy projects at a time when the world is facing the highest ever price for oil;
- the rip-off of overspending on massive road projects, which are then tolled to the benefit of private companies, while public transport systems, especially the railways are run down;
- Ireland will have to pay €74m this year for our excessive output of carbon;
- the persistent problem of illegal dumping especially in the Wicklow area from which Dublin gets much of its water;
- the rise in fly-tipping and back-yard burning outlined in a recent EPA report;
- the failure to transpose yet another EU Directive into Irish law, this time on recycling targets, which was supposed to be implemented by August;
- the increasing unemployment figures, inflation and exchequer deficit;
- the continuing problem of anti-social behaviour;
- the facilitation of, not only the US-led occupation of Iraq, but the illegal transportation of prisoners, by providing the US military with unquestioned access to Shannon Airport, resulting in this country being investigated by the United Nations;
- the withholding of rent allowance from single parents unless they take absent parents to the courts for financial assistance;
- the decision by the European Commission that the Government's stallion tax is an illegal state aid to the bloodstock industry;
- the serious question marks raised over the selection of the site for a new prison in north County Dublin; and
- the policy of centralising sewage treatment in regional locations resulting in massive plants being imposed on local communities;

calls on the Government to:

- stop backing Shell on the Corrib Gas pipeline dispute and put the safety of our citizens first by having a full oral hearing on the pipeline;
- invest in more hospital beds as well as nursing and convalescent homes, the lack of which have been clearly identified as the major cause of overcrowding in Accident and Emergency units;
- increase parental leave and provide options for parents whether they choose to avail of childcare or not;
- seek the immediate transfer of the Gardaí criticised in the Morris report;
- invest in reducing primary school class sizes below 20 as international studies emphasise again and again the importance of a quality primary education in long-term development and the country's economic competitiveness;
- reverse the cutbacks in adult education for Community Employment Schemes;
- develop a strategy to target local rural and urban areas which the ESRI says are locked into deprivation;
- prioritise renewable energy projects such as wind, wave, solar power and biomass and to promote their use, in particular by providing grants for household conversions;

- reverse the current 4:1 ratio of spending on roads and public transport and invest in an integrated public transport system in major cities, such as the Dublin Metro, along with the upgrading of strategic links across rural areas;
- reconsider its decision not to introduce a carbon tax and to include it in the budget for 2006, balanced by reductions in labour taxes, VAT and the introduction of targeted fuel allowances;
- set up an agency to spearhead the drive for recycling in order to improve our very poor performance to date — the second worst of 15 states in a recent European survey;
- implement the European Court decision that serious damage to the environment should be categorised as a criminal offence;
- tackle our litter problem by increasing resources for litter wardens, increasing penalties for litter and dumping, and introducing a refundable deposit on all types of retail beverage containers, which would cut litter overnight;
- promote enterprise and employment to exploit the emerging opportunities in biofuels, organic food and eco-tourism, all areas in which Ireland is well positioned to excel;
- forget anti-social behaviour orders and instead implement all the provisions of the Children’s Act 2001, properly resource the Juvenile Liaison Officers and provide more community Gardaí and mountain bike units;
- withdraw the use of Shannon Airport from forces involved in the war in Iraq and to introduce proper controls and inspection of suspect aircraft using the airport to ensure that this country is not facilitating any illegal activities;
- restore rent allowance to all single parents;
- abolish unnecessary tax reliefs, especially in the building industry, before the European Commission finds against the Government again;
- investigate the process by which the Thornton site in north County Dublin was selected for a new prison before contracts are signed tying the tax payer into expenditure of €30m; and
- reject the establishment of regional sewage treatment plants in favour of area-specific facilities.” — *Trevor Sargent, John Gormley, Dan Boyle, Ciarán Cuffe, Paul Gogarty, Eamon Ryan.*

[28 September, 2005].

55. “That Dáil Éireann requests the Comptroller and Auditor General to conduct an investigation into the circumstances surrounding the purchase of 150 acres of land for a prison and mental hospital at Thornton, Kilsallaghan, County Dublin for €30m, and the role of the Department and Minister for Justice, Equality and Law Reform in this purchase.” — *Trevor Sargent, John Gormley, Dan Boyle, Ciarán Cuffe, Eamon Ryan, Paul Gogarty.*

[28 September, 2005]

56. “That Dáil Éireann,

- denounces the exploitation of workers on board ferries operating under flags of convenience out of Irish and EU ports;
- notes that a draft Directive on passenger and ferry services was proposed by the European Commission in April 1998 (COM/98/0251), approved by the European Parliament in March 1999 and that a revised proposal was issued in 2000 (COM/2000/0437), but withdrawn in August 2004 following the failure to reach a final agreement at the Council of Ministers; and

- calls on the European Commission to urgently introduce a European Ferries Directive, to combat ‘social dumping’ on ferries and set minimum labour standards in order to ensure an end to the exploitation of workers on intra-EU passenger and ferry services.” — *Arthur Morgan, Caoimhghín Ó Caoláin, Seán Crowe, Martin Ferris, Aengus Ó Snodaigh.*

[3 October, 2005]

57. “That Dáil Éireann,
recognising that:

- there is consistent neglect by the Government of the Ballina and north Mayo region;
- the upgrade of the Ballina sewage scheme is vital to the future development of this county town and general area;
- despite the Celtic tiger Ballina remains a notorious employment ‘black-spot’ area;
- investment in infrastructure is needed in the western area of the country;
- there has been a gross under-spend in the BMW region as outlined in the mid-term review of the NDP; and
- there is a lack of rail freight services from the Mayo area, discontinued earlier this year but as yet there has been no replacement despite much hype over the replacement.

calls on the Government to:

- ensure the upgrade of the Ballina sewage scheme:
- ensure the necessary infrastructure investment takes place in Ballina and Mayo by addressing the underspend;
- establish a tax incentive area in Ballina and surrounding areas;
- ensure the IDA fulfil their promise of establishing adequate employment in Ballina;
- take special steps to re-activate this once thriving town; and
- maintain balanced regional development.” — *Jerry Cowley.*

[7 November, 2005]

58. An Dáil a chur ar athló.
Adjournment of the Dáil.

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

An Bille um Cheartas Coiriúil 2004 — An Roghchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan.
Criminal Justice Bill 2004 — Select Committee on Justice, Equality, Defence and Women’s Rights.

An Bille um an gCúirt Choiriúil Idirnáisiúnta 2003 — An Roghchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan.
International Criminal Court Bill 2003 — Select Committee on Justice, Equality, Defence and Women’s Rights.

An Bille um Cheadanna Fostaíochta 2005 — An Roghchoiste um Fhiontraíocht agus Mionghnóthaí.

Employment Permits Bill 2005 — Select Committee on Enterprise and Small Business.

An Bille um Chaidreamh agus Díolúine Taidhleoireachta (Leasú) 2005 — An Roghchoiste um Ghnothaí Eachtracha.

Diplomatic Relations and Immunities (Amendment) Bill 2005 — Select Committee on Foreign Affairs.

An Bille um Pleanáil agus Forbairt (Leasú) 2005 — An Roghchoiste um Chomhshaol agus Rialtas Áitiúil.

Planning and Development (Amendment) Bill 2005 — Select Committee on the Environment and Local Government.

(l) An Bille um Thruailliú na Farraige (Forálacha Ilghnéitheacha) 2003 [*Seanad*] — An Roghchoiste um Chumarsáid, Muir agus Acmhainní Nádúrtha.

(a) Sea Pollution (Miscellaneous Provisions) Bill 2003 [*Seanad*] — Select Committee on Communications, Marine and Natural Resources.

An Bille fán Údarás um Thástáil agus Caighdeáin do Thiománaithe 2004 — An Roghchoiste um Iompar.

Driver Testing and Standards Authority Bill 2004 — Select Committee on Transport.

An Bille um Athchóiriú an Dlí Reachtuil (Réamh-1922) 2004 [*Seanad*] — An Roghchoiste um Airgeadas agus an tSeirbhís Phoiblí.

Statute Law Revision (Pre-1922) Bill 2004 [*Seanad*] — Select Committee on Finance and the Public Service.

An Bille um Sheirbhísí Uisce 2003 [*Seanad*] — An Roghchoiste um Chomhshaol agus Rialtas Áitiúil.

Water Services Bill 2003 [*Seanad*] — Select Committee on the Environment and Local Government.

An Bille um Shaoire do Thuismitheoirí (Leasú) 2004 [*Seanad*] — An Roghchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan.

Parental Leave (Amendment) Bill 2004 [*Seanad*] — Select Committee on Justice, Equality, Defence and Women's Rights.

MEMORANDA

Dé Máirt, 15 Samhain, 2005
Tuesday, 15th November, 2005

Cruinniú den Chomhchoiste um Chumarsáid, Muir agus Acmhainní Nádúrtha i Seomra Coiste 4, TL2000, ar 2 p.m.

Meeting of the Joint Committee on Communications, Marine and Natural Resources in Committee Room 4, LH2000, at 2 p.m.

Cruinniú den Chomhchoiste um Ghnóthaí Eachtracha i Seomra Coiste 2, TL2000, ar 2 p.m.

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

Cruinniú den Fhochoiste maidir leis an Ardleibhéal Féinmharaithe i Sochaí na hÉireann i Seomra Coiste 1, TL2000, ar 2 p.m.

Meeting of the Sub-Committee on the High Level of Suicide in Irish Society in Committee Room 1, LH2000, at 2 p.m.

Cruinniú den Chomhchoiste um Ghnóthaí Sóisialacha agus Teaghlaigh i Seomra Coiste 3, TL2000, ar 3 p.m.

Meeting of the Joint Committee on Social and Family Affairs in Committee Room 3, LH2000, at 3 p.m.

Cruinniú den Chomhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan i Seomra Coiste 2, TL2000, ar 5 p.m. (*príobháideach*).

Meeting of the Joint Committee on Justice, Equality, Defence and Women's Rights in Committee Room 2, LH2000, at 5 p.m. (*private*).

Cruinniú den Roghchoiste um Ghnóthaí Sóisialacha agus Teaghlaigh i Seomra Coiste 3, TL2000, ar 5.20 p.m.

Meeting of the Select Committee on Social and Family Affairs in Committee Room 3, LH2000, at 5.20 p.m.

Dé Céadaoin, 16 Samhain, 2005
Wednesday, 16th November, 2005

Cruinniú den Chomhchoiste um Fhiontraíocht agus Mionghnóthaí i Seomra Coiste 3, TL2000, ar 9.30 a.m.

Meeting of the Joint Committee on Enterprise and Small Business in Committee Room 3, LH2000, at 9.30 a.m.

Cruinniú den Chomhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan i Seomra Coiste 1, TL2000, ar 9.30 a.m.

Meeting of the Joint Committee on Justice, Equality, Defence and Women's Rights in Committee Room 1, LH2000, at 9.30 a.m.

Cruinniú den Chomhchoiste um Chumarsáid, Muir agus Acmhainní Nádurtha i Seomra Coiste 4, TL2000, ar 10 a.m.

Meeting of the Joint Committee on Communications, Marine and Natural Resources in Committee Room 4, LH2000, at 10 a.m.

Cruinniú d'Fhochoistí na Dála agus an tSeanaid um Sheirbhísí do Chomhaltaí i Seomra Coiste 3, TL2000, ar 12 meán lae (*príobháideach*).

Meeting of the Dáil and Seanad Sub-Committees on Members' Services in Committee Room 3, LH2000, at 12 noon (*private*).

Cruinniú den Chomhchoiste um Ghnóthaí Eorpacha i Seomra Coiste 2, TL2000, ar 2.30 p.m.

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

Cruinniú den Chomhchoiste um Iompar i Seomra Coiste 1, TL2000, ar 2.30 p.m.

Meeting of the Joint Committee on Transport in Committee Room 1, LH2000, at 2.30 p.m.

Cruinniú den Chomhchoiste um Thalmhaíocht agus Bia i Seomra Coiste 3, TL2000, ar 3 p.m.
 Meeting of the Joint Committee on Agriculture and Food in Committee Room 3, LH2000, at 3 p.m.

Déardaoin, 17 Samhain, 2005
Thursday, 17th November, 2005

Cruinniú den Chomhchoiste um Fhiontraíocht agus Mionghnóthaí i Seomra Coiste 2, TL2000, ar 9.30 a.m.
 Meeting of the Joint Committee on Enterprise and Small Business in Committee Room 2, LH2000, at 9.30 a.m.

Cruinniú den Chomhchoiste um Shláinte agus Leanaí i Seomra Coiste 4, TL2000, ar 9.30 a.m.
 Meeting of the Joint Committee on Health and Children in Committee Room 4, LH2000, at 9.30 a.m.

Cruinniú den Fhochoiste um Iniúchadh Eorpach i Seomra Coiste 3, TL2000, ar 9.30 a.m.
 Meeting of the Sub-Committee on European Scrutiny in Committee Room 3, LH2000, at 9.30 a.m.

Cruinniú den Choiste um Chuntais Phoiblí i Seomra Coiste 1, TL2000, ar 11 a.m.
 Meeting of the Committee of Public Accounts in Committee Room 1, LH2000, at 11 a.m.

Cruinniú den Chomhchoiste um Oideachas agus Eolaíocht i Seomra Coiste 2, TL2000, ar 11.30 a.m.
 Meeting of the Joint Committee on Education and Science in Committee Room 2, LH2000, at 11.30 a.m.

Cruinniú den Fhochoiste um Chearta an Duine i Seomra Coiste 3, TL2000, ar 12 meán lae.
 Meeting of the Sub-Committee on Human Rights in Committee Room 3, LH2000, at 12 noon.

Cruinniú den Chomhchoiste um Chomhshaol agus Rialtas Áitiúil i Seomra Coiste 4, TL2000, ar 3 p.m. (*príobháideach*).
 Meeting of the Joint Committee on the Environment and Local Government in Committee Room 4, LH2000, at 3 p.m. (*private*).

BILLÍ DÁLA SA SEANAD
DÁIL BILLS WITH THE SEANAD

An Bille Comhdhlúite Leasa Shóisialaigh 2005.
 Social Welfare Consolidation Bill 2005.

An Bille um Ghairmithe Sláinte agus Cúraim Shóisialaigh 2004.
 Health and Social Care Professionals Bill 2004.

An Bille um Shábháilteacht Iarnróid 2001.
 Railway Safety Bill 2001.

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

Reachtúil:

1) Togra le haghaidh Treorach ó Pharlaimint na hEorpa agus ón gComhairle maidir le caighdeáin agus nósanna imeachta coiteanna i mBallstáit chun náisiúnaigh tríú tíortha atá ag fanacht go neamhdhleathach a chur ar ais mar aon le nóta faisnéise míniúcháin. COM (2005) 391.

2) Na Rialacháin um Acht na gCuideachtaí 1990 (Urrúis Neamhdheimhnithe) (Leasú) 2005 (I.R. Uimh. 693 de 2005).

3) Ordú na gCuideachtaí (Foirmeacha) 2005 (I.R. Uimh. 694 de 2005).

4) Na Rialacháin um Eitic in Oifigí Poiblí (Comhlachtaí Poiblí Forordaithe, Stiúrtóirreachtaí Ainmnithe de chuid Comhlachtaí Poiblí agus Poist Ainmnithe iontu) 2005 (I.R. Uimh. 672 de 2005).

5) An tOrdú fán Acht um Chleachtadh Tréidliachta 2005 (An Lá Bunaithe) 2005 (I.R. Uimh. 598 de 2005).

6) Creat-Chinneadh ón gComhairle ar an mBarántas Fianaise Eorpach (BFE) chun rudaí, doiciméid agus sonraí a fháil lena n-úsáid in imeachtaí i gcúrsaí coiriúla. Comhairle an Aontais Eorpaigh.

7) Na Rialacháin um Eitic in Oifigí Poiblí (Poist Ainmnithe i gComhlachtaí Poiblí) (Leasú) 2005 (I.R. Uimh. 673 de 2005).

8) Na Rialacháin um Chosaint Fostaithe (Dócmhainneacht Fostóirí) (Foirmeacha agus Nósanna Imeachta) 2005 (I.R. Uimh. 682 de 2005).

9) Togra le haghaidh Rialacháin ón gComhairle lena mbunaítear bearta chun an stoc Eascann Eorpach a athbhunú mar aon le nóta faisnéise míniúcháin. COM (2005) 472.

10) Togra le haghaidh Cinnidh ón gComhairle lena socraítear na ranníocaíochtaí airgeadais a bheidh le híoc ag na Ballstáit a rannchuidíonn leis an gCiste Forbartha Eorpach (an tríú tráthchuid don bhliain 2005) mar aon le nóta faisnéise míniúcháin. COM (2005) 481.

11) Togra le haghaidh Rialacháin ón gComhairle lena n-aisghairtear Rialachán (CE) Uimh. 3690/93 lena mbunaítear córas

Statutory:

1) Proposal for a Directive of the European Parliament and of the Council on common standards and procedures in Member States for returning illegally staying third-country nationals together with explanatory information note. COM (2005) 391.

2) Companies Act 1990 (Uncertificated Securities) (Amendment) Regulations 2005 (S.I. No. 693 of 2005).

3) Companies (Forms) Order 2005 (S.I. No. 694 of 2005).

4) Ethics in Public Office (Prescribed Public Bodies, Designated Directorships of and Positions in Public Bodies) Regulations 2005 (S.I. No. 672 of 2005).

5) Veterinary Practice Act 2005 (Establishment Day) Order 2005 (S.I. No. 598 of 2005).

6) Council Framework Decision on the European Evidence Warrant (EEW) for obtaining objects, documents and data for use in proceedings in criminal matters. Council of the European Union.

7) Ethics in Public Office (Designated Positions in Public Bodies) (Amendment) Regulations 2005 (S.I. No. 673 of 2005).

8) Protection of Employees (Employers' Insolvency) (Forms and Procedure) Regulations 2005 (S.I. No. 682 of 2005).

9) Proposal for a Council Regulation establishing measures for the recovery of the stock of European Eel together with explanatory information note. COM (2005) 472.

10) Proposal for a Council Decision fixing the financial contributions to be paid by the Member States contributing to the European Development Fund (third instalment for 2005) together with explanatory information note. COM (2005) 481.

11) Proposal for a Council Regulation repealing Regulation (EC) No. 3690/93 establishing a Community system laying

Comhphobail ina leagtar síos rialacha maidir leis an bhfaisnéis íosta atá le bheith i gceadúnais iascaireachta mar aon le nóta faisnéise míniúcháin. COM (2005) 499.

12) Na Rialacháin um Liúntais Chothabhála (Íocaíocht Mhéadaithe) 2005 (I.R.Uimh. 692 de 2005).

13) Bord Fiontar Dheisceart Chorcaí Teoranta. Tuarascáil Bhliantúil, 2004.

14) Ráitis i leith Comhairleoirí Speisialta don Aire Stáit ag an Roinn Fiontar, Trádála agus Fostaíochta, Antóin Ó Cillín, T.D., de réir na nAchtanna um Eitic in Oifigí Poiblí 1995 agus 2001 [2004] [11 Samhain, 2005].

15) Prótacal idir Éire agus Poblacht na Portaingéile lena leasaítear an Coinbhinsiún chun cánachas dúbailte a sheachaint agus cosc a chur le himghabháil fhioscach maidir le cánacha ar ioncam agus a phrótacal a síníodh i mBaile Átha Cliath an 1 Meitheamh, 1993. Arna dhéanamh i Liospóin an 11 Samhain, 1993.

16) Coinbhinsiún idir Éire agus Poblacht na Sile chun cánachas dúbailte a sheachaint agus cosc a chur le himghabháil fhioscach maidir le cánacha ar ioncam agus ar ghnóchain chaipitiúla. Arna dhéanamh i mBaile Átha Cliath an 2 Meitheamh, 2005.

17) Coinbhinsiún ar aontachas Phoblacht na Seice, Phoblacht na hEastóine, Phoblacht na Cípire, Phoblacht na Laitvia, Phoblacht na Liotuáine, Phoblacht na hUngáire, Phoblacht Mhálda, Phoblacht na Polainne, Phoblacht na Slóivéine agus Phoblacht na Slóvaice leis an gCoinbhinsiún maidir le cánachas dúbailte a dhíothú i ndáil le coigeartú brabús fiontar comhlachaithe. Arna dhéanamh sa Bhruiséil an 8 Nollaig, 2004.

Neamhrechtúil:

1) An tOrdú fán Acht um Chistí Infheistíochta Cuideachtaí agus Forálacha Ilghnéitheacha 2005 (Tosach Feidhme) (Uimh. 2) 2005 (I.R. Uimh. 695 de 2005).

2) Tithe an Oireachtais. An Comhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan. Tuarascáil Iniúchta AE Uimh. 10: Com (2005) 122 — Togra le haghaidh Cinnidh ón gComhairle lena mbunaítear don tréimhse 2007-2013 an clár sonrath “Cearta bunúsacha agus saoránacht” mar chuid den Chlár ginearálta

down rules for the minimum information to be contained in fishing licences together with explanatory information note. Com (2005) 499.

12) Maintenance Allowances (Increased Payment) Regulations 2005 (S.I. No. 692 of 2005).

13) South Cork Enterprise Board Limited. Annual Report, 2004.

14) Statements in respect of Special Advisers to the Minister of State at the Department of Enterprise, Trade and Employment, Tony Killeen, T.D., in accordance with the Ethics in Public Office Acts 1995 and 2001 [2004] [11 November, 2005].

15) Protocol between Ireland and the Portuguese Republic amending the Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and its protocol signed at Dublin on 1 June, 1993. Done at Lisbon on 11 November, 1993.

16) Convention between Ireland and the Republic of Chile for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and on capital gains. Done at Dublin on 2 June, 2005.

17) Convention on the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the Convention on the elimination of double taxation in connection with the adjustment of profits of associated enterprises. Done at Brussels on 8 December, 2004.

Non-Statutory:

1) Investment Funds Companies and Miscellaneous Provisions Act 2005 (Commencement) (No. 2) Order 2005 (S.I. No. 695 of 2005).

2) Houses of the Oireachtas. Joint Committee on Justice, Equality, Defence and Women’s Rights. EU Scrutiny Report No 10: Com (2005) 122 — Proposal for a Council Decision establishing for the period 2007-2013 the specific programme “Fundamental rights and citizenship” as part of the General programme “Fundamental

“Cearta Bunúsacha agus Ceartas” [agus] Com (2005) 123 — Togra le haghaidh Cinnidh ón gComhairle lena mbunaítear creatchlár maidir le Dlúthpháirtíocht [agus] Bainistiú Sruthanna Imirce don tréimhse 2007-2013 [agus] Com (2005) 124 — Togra le haghaidh Cinnidh ón gComhairle lena mbunaítear an Clár sonrach “Cosc, Ullmhacht agus Bainistiú Iarmhairtí na Sceimhlitheoireachta” don tréimhse 2007-2013. Samhain, 2005.

3) Tithe an Oireachtas. An Comhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan. Tuarascáil Iniúchta AE Uimh. 11: Com (2005) 317 — Togra le haghaidh Cinnidh ón gComhairle maidir le comhar póilíneachta a fheabhsú idir Ballstáit an Aontais Eorpaigh, go háirithe ag na teorainneacha inmheánacha agus lena leasaítear an Coinbhinsiún chun Comhaontú Schengen a chur i bhfeidhm. Deireadh Fómhair 2005.

4) An Roinn Cumarsáide, Mara agus Acmhainní Nádurtha. Tuarascáil Bhliantúil, 2004.

5) Tithe an Oireachtas. An Comhchoiste um Iompar. Tuarascáil Iniúchta AE Uimh. 4: COM (2004) 139; COM (2004) 142; COM (2004) 143; COM (2004) 144. Samhain, 2005.

Rights and Justice” [and] Com (2005) 123 — Proposal for a Council Decision establishing a framework programme on Solidarity and the Management of Migration Flows for the period 2007-2013 [and] Com (2005) 124 — Proposal for a Council Decision Establishing the specific Programme “Prevention, Preparedness and Consequence Management of Terrorism” for the period 2007-2013. November, 2005.

3) Houses of the Oireachtas. Joint Committee on Justice, Equality, Defence and Women’s Rights. EU Scrutiny Report No 11: Com (2005) 317 — Proposal for a Council Decision on the improvement of police cooperation between the Member States of the European Union, especially at the internal borders and amending the Convention implementing the Schengen Agreement. October, 2005.

4) Department of Communications, Marine and Natural Resources. Annual Report, 2004.

5) Houses of the Oireachtas. Joint Committee on Transport. EU Scrutiny Report No. 4: COM (2004) 139; COM (2004) 142; COM (2004) 143; COM (2004) 144. November, 2005.