

Dé Céadaoin, 23 Samhain, 2005
Wednesday, 23rd November, 2005

10.30 a.m.

Comhaltaí a chur ar Fionraí (*dhá vóta a cuireadh siar*).
Suspension of Members (*two postponed divisions*).

ORD GNÓ
ORDER OF BUSINESS

26. Ráitis maidir leis an gcor reatha san Aontas Eorpach, lena n-áirítear an Conradh ag bunú Bunreachta don Eoraip.
Statements on the current situation in the European Union, including the Treaty establishing a Constitution for Europe.
15. Tairiscint *maidir le* Leabhar na Meastachán, 2006 (*atógáil*).
Motion *re* Book of Estimates, 2006 (*resumed*).

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS' BUSINESS

53. Tairiscint *maidir le* Cuideachtaí Bainistíochta (Forbairtí Tithíochta) (*atógáil*).
Motion *re* Management Companies (Housing Developments) (*resumed*).

**ORDUITHE AN LAE
ORDERS OF THE DAY**

Tairiscint (atógáil):

Motion (resumed):

15. “Go molann Dáil Éireann Meastacháin 2006 i gcomhair Seirbhísí Poiblí (Coimrithe) arna bhfoilsíú ag an Aire Airgeadais an 17 Samhain, 2005.

That Dáil Éireann commends the 2006 Estimates for Public Services (Abridged) published by the Minister for Finance on 17th November, 2005.”

— *An tAire Airgeadais.*

26. Ráitis maidir leis an gcor reatha san Aontas Eorpach, lena n-áirítear an Conradh ag bunú Bunreachta don Eoraip.

Statements on the current situation in the European Union, including the Treaty establishing a Constitution for Europe.

**GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS' BUSINESS**

Tairiscint (atógáil) (1 ur. 30 n fágtha):

Motion (resumed) (1 hr. 30 m remaining):

53. “That Dáil Éireann, considering the increased use of ‘management companies’ as an alternative to the public ‘taking in charge’ of housing developments and considering that these management companies impose a management charge on house-buyers for services which are normally provided by a public local authority, calls on the Minister for the Environment, Heritage and Local Government:

- to issue, under section 29 of the Planning and Development Act 2000, policy directives:
 - requiring all planning authorities to insist that all new housing developments are designed, constructed and completed to ‘taking in charge’ standards; and
 - specifying that planning permissions for the development of houses (as distinct from apartments) should not require or allow for the establishment of management companies;
- to issue guidelines to planning authorities specifying the limited circumstances (mainly apartment developments) where management companies may be permitted, and in respect of those permissions, to set down those services including where possible, all roads, public open spaces, public lighting and water and sewage services which should be completed to ‘taking in charge’ standards, and which should be taken in charge by the local authority;
- to introduce new legislation which will:
 - regulate the operation of management companies;
 - give consumer protection to homebuyers, including the regulation of management charges;
 - re-inforce section 180 of the Planning and Development Act 2000, to the effect that a development which is or has been the subject of a ‘management company’ condition, may be taken in charge by a local authority where a majority of the qualified electors who own or occupy the houses in question, so consent; and

- provide for the winding-up of management companies.” — *Eamon Gilmore, Pat Rabbitte, Liz McManus, Emmet Stagg, Thomas P. Broughan, Joan Burton, Joe Costello, 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.*
[22 November, 2005]

Leasú (atógáil):

Amendment (resumed):

1. To delete all words after “Dáil Éireann” and substitute the following:

- “— recognising the importance of well-planned and well-designed residential development, commends the Government’s commitment to promoting sustainable communities which:
- offer choice to householders across a wide range of accommodation options;
 - embody high quality urban design which is also environmentally progressive and energy efficient; and
 - provide a wide range of services and amenities for the community, and are focused on locations that capitalise on recent and planned transport improvements as set out in Transport 21, published recently by the Government;
- notes that a Law Reform Commission Working Group is currently examining a range of legal issues in relation to the importance of effective management arrangements for multi-unit structures and that the Government will consider recommendations of the Group’s final report including the need for any new legislation to regulate management companies;
- notes that the supply of housing has been greatly increased since 1997 and that almost 77,000 units were completed in 2004 which was double the level achieved in 1997 and that 21% of housing units built in 2004 were apartments and that apartments constituted 68% of the housing units built in Dublin City in 2004, and 42% of the units built in the Dublin area;
- recalls the provisions in the Planning and Development Act 2000 whereby planning authorities must initiate the taking in charge of housing estates when requested to do by the majority of the residents who are qualified electors, or by the developer;
- notes the strong provisions in the Planning and Development Act 2000 which require the completion of estates by developers, including the provision whereby the developer can be required to give adequate security for the completion of the development and the strengthened provisions in relation to enforcement of planning conditions;
- notes that the Planning and Development Act 2000 recognised that management companies may be required, in appropriate circumstances, to provide for the maintenance of multi-unit structures, for the communal benefit of all residents;
- notes that in accordance with long-standing policy the application of conditions to a planning permission should in all cases be necessary, relevant to planning and to the development, enforceable, precise and reasonable, and that planning authorities must operate in accordance with these principles; and
- welcomes the fact that as a result of the increase of 6% in the Exchequer contribution to the Local Government Fund, as provided for in the Abridged Estimates published last week, the Minister for the Environment, Heritage and Local Government will be in a position to build on the Government’s strong record of strengthening the financial position of local authorities thereby empowering them to continue to improve the quality and range of services they provide to all their customers.” — *An tAire Comhshaoil, Oidhreachta agus Rialtais Áitiúil.*

MEMORANDA

Dé Céadaoin, 23 Samhain, 2005
Wednesday, 23rd November, 2005

An Bille um an gCúirt Choiriúil Idirnáisiúnta 2003:

International Criminal Court Bill 2003:

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

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

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

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

Cruinniú den Chomhchoiste um Iompar i Seomra Coiste 1, TL2000, ar 2 p.m.

Meeting of the Joint Committee on Transport in Committee Room 1, LH2000, at 2 p.m.

An Bille um Athchóiriú an Dlí Reachtuil (Réamh-1922) 2004:

Statute Law Revision (Pre-1922) Bill 2004:

Cruinniú den Roghchoiste um Airgeadas agus an tSeirbhís Phoiblí i Seomra Coiste 4, TL2000, ar 3 p.m.

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

Cruinniú den Choiste um Nós Imeachta agus Pribhléidí i Seomra 2 (tríd an bPríomh-Halla), Teach Laighean, ar 5.15 p.m. (*príobháideach*).

Meeting of the Committee on Procedure and Privileges in Room 2 (off the Main Hall), Leinster House, at 5.15 p.m. (*private*).

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

Reachtúil:

1) Tuarascáil ón Ard-Reachtair Cuntas agus Ciste faoi Scrúdú Luach ar Airgead — An Roinn Fiontar, Trádála agus Fostaíochta — 'Díolachán Maoine ag Forbairt na Sionna'. Tuarascáil Uimh. 50, Lúnasa, 2005.

2) Oifig an Stiúrthóra Ionchúiseamh Poiblí. Tuarascáil Bhliantúil, 2004.

3) An tOrdú fán Acht um Shaoire Uchtaíoch 2005 (Tosach Feidhme) 2005 (I.R. Uimh. 724 de 2005).

4) An tOrdú Iascaigh (Ceadúnais Tráchtála Ilghnéitheacha) (Dleachtanna a Athrú) 2005 [Dréacht].

5) An tOrdú um Boird Iascaigh Réigiúnacha (Toghcháin a Iarchur) 2005 (Dréacht).

Statutory:

1) Comptroller and Auditor General Report on Value for Money Examination — Department of Enterprise, Trade and Employment — 'Property Sale by Shannon Development'. Report No. 50, August, 2005.

2) Office of the Director of Public Prosecutions. Annual Report, 2004.

3) Adoptive Leave Act 2005 (Commencement) Order 2005 (S.I. No. 724 of 2005).

4) Fisheries (Miscellaneous Commercial Licences) (Alteration of Duties) Order 2005 [Draft].

5) Regional Fisheries Boards (Postponement of Elections) Order 2005 (Draft).

Neamhreachtúil:

1) An tOrdú um Iarnród Éireann (Baile Átha Cliath - Sligeach) (Crosaire Comhréidh Chill Liúcainne) 2005 (I.R. Uimh. 712 de 2005).

2) Tithe an Oireachtais. An Comhchoiste um Ghnóthaí Ealaíon, Spóirt, Turasóireachta, Pobail, Tuaithe agus Gaeltachta. An tOchtú Tuarascáil: Éire agus na Cluichí Oilimpeacha: Ón Aithin go Londain. Samhain, 2005.

3) Rialacháin na gComhphobal Eorpach (Trádáil Astuithe Gáis Cheaptha Teasa) (Leasú) 2005 (I.R. Uimh. 704 de 2005).

4) Rialacháin na gComhphobal Eorpach (Aonaid Tomhais) (Leasú) 2004 (I.R. Uimh. 859 de 2004).

5) Tithe an Oireachtais. An Comhchoiste um Chomhshaol agus Rialtas Áitiúil, Tuarascáil ar an gCuairt a thug Toscaireacht den Chomhchoiste ar Láithreán BNFL in Sellafield, Cumbria, An Ríocht Aontaithe Dé Máirt an 20 Meán Fómhair, 2005.

6) Dáil Éireann. An Roghchoiste um Ghnóthaí Sóisialacha agus Teaghlaigh. Tuarascáil ar Thairiscint maidir le Comhaontú athbhreithnithe ar Shlándáil 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. Samhain, 2005.

Non-Statutory:

1) Iarnród Éireann (Dublin - Sligo) (Killucan Level Crossing) Order 2005 (S.I. No. 712 of 2005).

2) Houses of the Oireachtas. Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs. Eighth Report: Ireland and the Olympics: From Athens to London. November, 2005.

3) European Communities (Greenhouse Gas Emissions Trading) (Amendment) Regulations 2005 (S.I. No. 704 of 2005).

4) European Communities (Units of Measurement) (Amendment) Regulations 2004 (S.I. No. 859 of 2004).

5) Houses of the Oireachtas. Joint Committee on the Environment and Local Government, Report on the Visit of a Delegation of the Joint Committee to the BNFL Site at Sellafield, Cumbria, United Kingdom on Tuesday 20 September, 2005.

6) Dáil Éireann. Select Committee on Social and Family Affairs. Report on Motion re: a revised Agreement on Social Security between the Government of Ireland and the Government of Australia which was signed at Dublin on 9 June, 2005 and was laid before Dáil Éireann on 27 October, 2005. November, 2005.