



## **DÁIL ÉIREANN**

*Dé Céadaoin, 25 Feabhra, 2009*  
*Wednesday, 25th February, 2009*

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**RIAR NA hOIBRE**  
**ORDER PAPER**



*Dé Céadaoin, 25 Feabhra, 2009*  
*Wednesday, 25th February, 2009*

10.30 a.m.

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**ORD GNÓ**  
**ORDER OF BUSINESS**

11. Tairiscint *maidir le* Ceadú beartaithe ag Dáil Éireann i ndáil le Rialachán ó Pharlaimint na hEorpa agus ón gComhairle maidir le bunú “Eurodac” chun méarloirg a chur i gcomparáid [*Arna breithniú ag an gComhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan an 24 Feabhra, 2009*].  
 Motion *re* Proposed approval by Dáil Éireann for a Regulation of the European Parliament and of the Council concerning the establishment of “Eurodac” for the comparison of fingerprints [*Considered by the Joint Committee on Justice, Equality, Defence and Women’s Rights on 24th February, 2009*].
12. Tairiscint *maidir le* Ceadú beartaithe ag Dáil Éireann i ndáil le Rialachán ó Pharlaimint na hEorpa agus ón gComhairle lena mbunaítear na critéir agus na sásraí lena gcinntear an Ballstát atá freagrach i scrúdú iarratais ar chosaint idirnáisiúnta [*Arna breithniú ag an gComhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan an 24 Feabhra, 2009*].  
 Motion *re* Proposed approval by Dáil Éireann for a Regulation of the European Parliament and of the Council establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection [*Considered by the Joint Committee on Justice, Equality, Defence and Women’s Rights on 24th February, 2009*].
13. Tairiscint *maidir le* Ceadú beartaithe ag Dáil Éireann i ndáil le Cinneadh ón gComhairle maidir le bunú an Chórais Faisnéise Eorpaigh um Thaifid Choiriúla (ECRIS) [*Arna breithniú ag an gComhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan an 24 Feabhra, 2009*].  
 Motion *re* Proposed approval by Dáil Éireann for a Council Decision on the establishment of the European Criminal Records Information System (ECRIS) [*Considered by the Joint Committee on Justice, Equality, Defence and Women’s Rights on 24th February, 2009*].
23. (l) An Bille um Bearta Airgeadais Éigeandála ar mhaithe le Leas an Phobail 2009 — An Coiste.  
 (a) Financial Emergency Measures in the Public Interest Bill 2009 — Committee.

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

60. (l) Tairiscint *maidir leis* an gCóras Baincéireachta (*atógáil*).  
 (a) Motion *re* Banking System (*resumed*).

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

### *Fógraí Tairisceana : Notices of Motions*

11. “Go gceadaíonn Dáil Éireann an Stát d’fheidhmiú an roghnaithe, arna chur ar fáil le hAirteagal 3 den cheathrú Prótacal atá leagtha amach i gConradh Amstardam, fógra a thabhairt d’Uachtarán na Comhairle gur mian léi a bheith páirteach i nglacadh agus i bhfeidhmiú an bhirt bheartaithe seo a leanas:

togra le haghaidh Rialacháin ó Pharlaimint na hEorpa agus ón gComhairle maidir le bunú ‘Eurodac’ chun méarloirg a chur i gcomparáid chun Rialachán (CE) Uimh. [...] [lena mbunaítear na critéir agus na sásraí lena gcinntear an Ballstát atá freagrach i scrúdú iarratais ar chosaint idirnáisiúnta arna thaisceadh i gceann de na Ballstáit ag náisiúnach tríú tír nó ag duine gan stát] a fheidhmiú go héifeachtach,

ar beart beartaithe é ar leagadh cóip de faoi bhráid Dháil Éireann an 5 Eanáir, 2009.

That Dáil Éireann approves the exercise by the State of the option, provided by Article 3 of the fourth Protocol set out in the Treaty of Amsterdam, to notify the President of the Council that it wishes to take part in the adoption and application of the following proposed measure:

a proposal for a Regulation of the European Parliament and of the Council concerning the establishment of ‘Eurodac’ for the comparison of fingerprints for the effective application of Regulation (EC) No. [...] [establishing the criteria and mechanisms for determining the Member State responsible for examining the application for international protection lodged in one of the Member States by a third-country national or a stateless person],

a copy of which proposed measure was laid before Dáil Éireann on 5th January, 2009.”

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

12. “Go gceadaíonn Dáil Éireann an Stát d’fheidhmiú an roghnaithe, arna chur ar fáil le hAirteagal 3 den cheathrú Prótacal atá leagtha amach i gConradh Amstardam, fógra a thabhairt d’Uachtarán na Comhairle gur mian léi a bheith páirteach i nglacadh agus i bhfeidhmiú an bhirt bheartaithe seo a leanas:

togra le haghaidh Rialacháin ó Pharlaimint na hEorpa agus ón gComhairle lena mbunaítear na critéir agus na sásraí lena gcinntear an Ballstát atá freagrach i scrúdú iarratais ar chosaint idirnáisiúnta arna thaisceadh i gceann de na Ballstáit ag náisiúnach tríú tír nó ag duine gan stát,

ar beart beartaithe é ar leagadh cóip de faoi bhráid Dháil Éireann an 5 Eanáir, 2009.

That Dáil Éireann approves the exercise by the State of the option, provided by Article 3 of the fourth Protocol set out in the Treaty of Amsterdam, to notify the President of the Council that it wishes to take part in the adoption and application of the following proposed measure:

a proposal for a Regulation of the European Parliament and of the Council establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person,

a copy of which proposed measure was laid before Dáil Éireann on 5th January, 2009.”

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

13. “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 bhiort bheartaithe seo a leanas:

togra le haghaidh Cinnidh ón gComhairle maidir le bunú an Chórais Faisnéise Eorpaigh um Thaidid Choiriúla (ECRIS) i bhfeidhmiú Airteagal 11 de Chreat-Chinneadh 2008/XX/JHA,

ar beart beartaithe é ar leagadh cóip de faoi bhráid Dháil Éireann an 28 Samhain, 2008.

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:

a proposal for a Council Decision on the establishment of the European Criminal Records Information System (ECRIS) in application of Article 11 of Framework Decision 2008/XX/JHA,

a copy of which proposed measure was laid before Dáil Éireann on 28th November, 2008.”

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

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### ORDUITHE AN LAE ORDERS OF THE DAY

23. (l) An Bille um Bearta Airgeadais Éigeandála ar mhaithe le Leas an Phobail 2009 — An Coiste.  
(a) Financial Emergency Measures in the Public Interest Bill 2009 — Committee.
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### GNÓ COMHALTAÍ PRÍOBHÁIDEACHA PRIVATE MEMBERS' BUSINESS

*Tairscint (atógáil) (1 ur. 30 n. fágtha):*

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

60. “That Dáil Éireann:

recognises that:

- reckless and incompetent management, regulation and oversight of the domestic Irish banking system has damaged domestic and international confidence in Ireland's economy;
- the Irish economy cannot recover from the deepening economic depression without a functioning banking system that enjoys the trust of depositors, international markets and the community at large;
- there is growing market scepticism that the recently announced €7 billion recapitalisation plan for AIB and Bank of Ireland has been designed in a way that can restore the health of the Irish financial system and credit availability to Irish businesses and families; and
- there is a public perception that the resolution of this banking crisis is being manipulated in the interests of powerful and wealthy elites and that unless the Government addresses this suspicion in an open and transparent manner, it will not have the legitimacy needed to gain the necessary support for the painful measures needed to put our public finances and economy back on a sounder footing;

calls on the Government to:

- take more decisive action to restore the financial health and reputation of the Irish banking system as a prudent and responsible manager of investors' capital and depositors' savings and as a reliable source of credit for Irish businesses;
- engage more decisively with other EU Governments to agree a common EU model of bank recapitalisation and bad debt resolution that ensures that losses are absorbed first and foremost not by taxpayers but by those who took on the risk of funding the risky lending policies of the banks;
- replace the current board and senior management team of the Irish Financial Services Regulatory Authority (IFSRA);
- give the Office of the Director of Corporate Enforcement the lead role in all investigations into recent transactions by banks, their investors and directors that may have breached both company law and financial regulation, given that IFSRA itself was at the centre of many of these transactions;
- reveal the names of the 'Golden Circle' of ten investors in Anglo Irish Bank, and outline what steps the Government and the bank are now taking to recover the associated €300m in debts on behalf of the tax-payer;
- open up the appointment of the next Governor of the Central Bank to open international competition and scrutiny by the Oireachtas;
- set a cap of €250,000 on the salaries (including bonuses and share options) of senior managers of financial institutions whose liabilities have been guaranteed by the State and/or in which the State has invested, until the guarantee has expired and the State investment has been repaid;
- publish an abridged version of the PricewaterhouseCoopers report into the loan exposures of all the banks whose liabilities have been guaranteed by the State; and
- insist that the banks provide a more credible estimate of their likely loan losses over the coming years prior to any form of State recapitalisation.” — *Richard Bruton, Enda Kenny, Bernard Allen, James Bannon, Seán Barrett, Pat Breen, Ulick Burke, Catherine Byrne, Joe Carey, Deirdre Clune, Paul Connaughton, Noel J. Coonan, Simon Coveney, Seymour Crawford, Michael Creed, Lucinda Creighton, Michael D'Arcy, John Deasy, Jimmy Deenihan, Andrew Doyle, Bernard J. Durkan, Damien English, Olwyn Enright, Frank Feighan, Charles Flanagan, Terence Flanagan, Brian Hayes, Tom Hayes, Phil Hogan, Paul Kehoe, Pádraic McCormack, Shane McEntee, Dinny McGinley, Joe McHugh, Olivia Mitchell, Denis Naughten, Dan Neville, Michael Noonan, Kieran O'Donnell, Fergus O'Dowd, Jim O'Keeffe, John O'Mahony, John Perry, James Reilly, Michael Ring, Alan Shatter, Tom Sheahan, P. J. Sheehan, David Stanton, Billy Timmins, Leo Varadkar.*

[24 February, 2009]

*Leasú (atógáil):*

*Amendment (resumed):*

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

- “— notes that the Government has taken determined and decisive action to restore, through the Bank Guarantee Scheme, recapitalisation and otherwise, the health and reputation of the financial system;
- notes that the Government has engaged with the European Commission and the ECB on the development of a common framework on capitalisation and has contributed to the development of a common approach to bad debt resolution;
- notes that the current board of IFSRA is engaged in an extensive and personnel

intensive investigation of issues which have arisen in Anglo Irish Bank in co-operation with the Office of the Director of Corporate Enforcement and the Garda authorities;

- notes that the ongoing investigation has a criminal dimension and urges all Deputies to exercise the restraint essential to any successful prosecution as appropriate and otherwise;
- affirms that the Irish economy needs a functioning banking system that enjoys the trust of depositors, international markets and the community at large in order to withstand the current economic and financial position; and
- supports the Government's structured and measured approach to the issues facing the financial sector which represents the best way to secure the position of the financial services sector generally while keeping in mind the requirements of the EU and the interests of the State; this approach includes:
  - the guarantee on deposits up to September 2010 to stabilise the funding position of the banks and add a further level of protection for depositors;
  - the recapitalisation programme of Allied Irish Banks and Bank of Ireland and the commitment to look at the needs of other institutions;
  - the nationalisation of Anglo Irish Bank, necessitated by particular circumstances at the time, to provide protection and support;
  - consideration of further interventions, including possible extension of the guarantee for limited purposes and the reduction of risk associated with assets;
  - review and reform of the structures, role and functioning of the Financial Regulator and the relationship with the Central Bank in light of the current situation; the stated intention of the Minister for Finance is to bring proposals in this regard to Government as a matter of urgency;
  - the ongoing commitment to work with the EU to frame a common approach to the issues faced by the financial services sector; and
  - to progress work already commenced in relation to remuneration of senior executives and board members in Allied Irish Banks and Bank of Ireland in light of the report of the Covered Institution Remuneration Oversight Committee (CIROC), headed by Mr. Eddie Sullivan, which is due to report on this matter by 5th March, 2009, and which will include a cap on the salaries of senior executives;
- expresses its confidence in the Government's measures to stabilise and revitalise the banking system." — *An tAire Airgeadais*.

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## MEMORANDA

*Dé Céadaoin, 25 Feabhra, 2009*

*Wednesday, 25th February, 2009*

Cruinniú den Chomhchoiste um Chumarsáid, Fuinneamh agus Acmhainní Náúrtha i Seomra Coiste 1, TL2000, ar 9.45 a.m.

Meeting of the Joint Committee on Communications, Energy and Natural Resources in Committee Room 1, LH2000, at 9.45 a.m.

Cruinniú den Chomhchoiste um Fhiontair, Trádáil agus Fostaíocht i Seomra Coiste 4, TL2000, ar 10 a.m.

Meeting of the Joint Committee on Enterprise, Trade and Employment in Committee Room 4, LH2000, at 10 a.m.

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Cruinniú den Chomhchoiste Riaracháin i Seomra Coiste 1, TL2000, ar 12.15 p.m. (*príobháideach*).

Meeting of the Joint Administration Committee in Committee Room 1, LH2000, at 12.15 p.m. (*private*).

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Cruinniú den Chomhchoiste um Ghnóthaí Ealaíon, Spóirt, Turasóireachta, Pobail, Tuaithe agus Gaeltachta i Seomra Coiste 4, TL2000, ar 2.30 p.m.

Meeting of the Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs in Committee Room 4, LH2000, at 2.30 p.m.

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Cruinniú den Chomhchoiste um Iompar i Seomra Coiste 1, TL2000, ar 3.45 p.m.

Meeting of the Joint Committee on Transport in Committee Room 1, LH2000, at 3.45 p.m.

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Cruinniú den Roghchoiste um Ghnóthaí Eachtracha i Seomra Coiste 3, TL2000, ar 4.30 p.m.

Meeting of the Select Committee on Foreign Affairs in Committee Room 3, LH2000, at 4.30 p.m.

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Cruinniú den Chomhchoiste um an Leasú Bunreachta maidir le Leanaí i Seomra Coiste 2, TL2000, ar 5 p.m. (*príobháideach*).

Meeting of the Joint Committee on the Constitutional Amendment on Children in Committee Room 2, LH2000, at 5 p.m. (*private*).

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

#### *Reachtúil:*

1) Togra le haghaidh Rialacháin ón gComhairle lena leasaítear Rialachán (CE) Uimh. 2505/96 lena n-osclaítear cuótaí taraife Comhphobail uathrialacha le haghaidh táirgí áirithe talmhaíochta agus tionscail agus lena ndéantar foráil maidir lena riaradh mar aon le nóta faisnéise míniúcháin.  
COM (2008) 797.

2) Tuarascáil ón Roinn Iompair don Oireachtas de réir Alt 2(5) d'Acht an Aontais Eorpaigh (Grinnscrúdú) 2002. 1 Iúil - 31

#### *Statutory:*

1) Proposal for a Council Regulation amending Regulation (EC) No. 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products together with explanatory information note.  
COM (2008) 797.

2) Report of the Department of Transport to the Oireachtas in accordance with Section 2(5) of the European Union (Scrutiny) Act



Nollaig, 2006 [Leagan Leasaithe].

2002. 1 July - 31 December, 2008 [Amended Version].

*Neamhreachtúil:*

*Non-Statutory:*

1) Rialacháin na gComhphobal Eorpach (Lipéadú, Tíolacadh agus Fógairt Earraí Bia) (Leasú) 2009 (I.R. Uimh. 61 de 2009).

1) European Communities (Labelling, Presentation and Advertising of Foodstuffs) (Amendment) Regulations 2009 (S.I. No. 61 of 2009).

2) Tithe an Oireachtais. An Comhchoiste um Ghnóthaí Ealaíon, Spóirt, Turasóireachta, Pobail, Tuaithe agus Gaeltachta. An Chéad Tuarascáil - Athmhúscailt an Iarthair: Ag Sárú Míchothromaíochtaí Sóisialta agus Eacnamaíochta. Feabhra, 2009.

2) Houses of the Oireachtas. Joint Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs. First Report - Awakening the West: Overcoming Social and Economic Inequality. February, 2009.