



DÁIL ÉIREANN

Dé Céadaoin, 1 Aibreán, 2009
Wednesday, 1st April, 2009

RIAR NA hOIBRE
ORDER PAPER

Dé Céadaoin, 1 Aibreán, 2009
Wednesday, 1st April, 2009

10.30 a.m.

ORD GNÓ
ORDER OF BUSINESS

16. Ráitis maidir leis an gComhairle Eorpach, An Bhruiséil.
Statements on European Council, Brussels.
14. Bille na dTithe (Forálacha Ilghnéitheacha) 2008 [*Seanad*] — An Dara Céim (*atógáil*).
Housing (Miscellaneous Provisions) Bill 2008 [*Seanad*] — Second Stage (*resumed*).
15. (l) An Bille Craolacháin 2008 [*Seanad*] — Ordú don Tuarascáil.
(a) Broadcasting Bill 2008 [*Seanad*] — Order for Report.
3. An Bille Sláinte (Forálacha Ilghnéitheacha) 2009 — Ordú don Dara Céim.
Health (Miscellaneous Provisions) Bill 2009 — Order for Second Stage.

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS' BUSINESS

52. (l) Tairiscint maidir le Leas Sóisialach — Fiachas Tomhaltóra. (*atógáil*)
(a) Motion re Social Welfare — Consumer Debt. (*resumed*)

FÓGRA I dTAOBH GNÓ NUA
NOTICE OF NEW BUSINESS

- 6a. An Bille um Chartlann Náisiúnta (Leasú) 2009 — An Chéad Chéim.
National Archives (Amendment) Bill 2009 — First Stage.

I dTOSACH GNÓ PHOIBLÍ AT THE COMMENCEMENT OF PUBLIC BUSINESS

Billí a thionscnamh : Initiation of Bills

Tíolactha:

Presented:

- 3.** An Bille Sláinte (Forálacha Ilghnéitheacha) 2009 — Ordú don Dara Céim.
Health (Miscellaneous Provisions) Bill 2009 — Order for Second Stage.

Bille dá ngairtear Acht do dhéanamh socrú chun an Chomhairle Náisiúnta um Dhul in Aois agus Daoine Scothaosta, Comhairle Sláinte na mBan, an Bord Náisiúnta um Sheirbhís Scagtha Ailse, Bord an Lárionaid Cóireála Drugaí agus an Ghníomhaireacht um Thoirchis Ghéarchéime a dhíscaoileadh, do dhéanamh socrú maidir leis an Aire Sláinte agus Leanaí d'fheidhmiú feidhmeanna áirithe a bhaineann le haoisliúntas, do dhéanamh socrú chun an tAcht um Binse Cúitimh i leith Heipitíteas C 1997, an tAcht Sláinte 2007 agus an tOrdú fán mBord um Chlárann Náisiúnta Ailse (Bunú) 1991 a leasú agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to provide for the dissolution of the National Council on Ageing and Older People, the Women's Health Council, the National Cancer Screening Service Board, the Drug Treatment Centre Board and the Crisis Pregnancy Agency, to provide for the exercise of certain functions relating to superannuation by the Minister for Health and Children, to provide for the amendment of the Hepatitis C Compensation Tribunal Act 1997, the Health Act 2007 and the National Cancer Registry Board (Establishment) Order 1991 and to provide for related matters.

—*An tAire Sláinte agus Leanaí.*

Tabhairt Isteach:

Introduction:

- 6a.** An Bille um Chartlann Náisiúnta (Leasú) 2009 — An Chéad Chéim.
National Archives (Amendment) Bill 2009 — First Stage.

Bille dá ngairtear Acht do leasú an Achta um Chartlann Náisiúnta 1986 trí shocrú a dhéanamh chun taifid roinne atá níos sine ná 15 bliana a aistriú chuig an gChartlann Náisiúnta; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Bill entitled an Act to amend the National Archives Act 1986 by providing for the transfer to the National Archives of departmental records which are more than 15 years old; and to provide for related matters.

—*Mary Upton.*

ORDUITHE AN LAE ORDERS OF THE DAY

- 14.** Bille na dTithe (Forálacha Ilghnéitheacha) 2008 [*Seanad*] — An Dara Céim (*atógáil*).
Housing (Miscellaneous Provisions) Bill 2008 [*Seanad*] — Second Stage (*resumed*).

- 15.** (*l*) An Bille Craolacháin 2008 [*Seanad*] — Ordú don Tuarascáil.

(a) Broadcasting Bill 2008 [*Seanad*] — Order for Report.

Tairiscint:

Motion:

“That, pursuant to Standing Order 130 of the Standing Orders relative to Public Business, the Broadcasting Bill 2008 be recommitted to the Select Committee on Communications, Energy and Natural Resources.”.

—Liz McManus.

16. Ráitis maidir leis an gComhairle Eorpach, An Bhruiséil.
Statements on European Council, Brussels.

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA PRIVATE MEMBERS' BUSINESS

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

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

52. “That Dáil Éireann:

noting:

- that the processing time of welfare applications, particularly jobseekers supports, is too long with some individuals and families waiting up to 16 weeks for their claim to be processed, and with potential delays of many months in processing appeals;
- official HSE figures which show an 85% increase in the number of requests for emergency welfare assistance over the past two years, while the number of community welfare staff has remained unchanged;
- the unacceptable delay in recruiting additional staff to deal with the dramatic increase in welfare claims;
- the 35% increase in the number of people seeking support from the Money Advice and Budgeting Service (MABS);
- that the Legal Aid Board has a function to provide legal advice and representation to people with debt problems;
- that there are currently more than 9,616 people in receipt of mortgage interest supplement, an increase of 134% (4,111) over the number in receipt of payment at the end of 2007;
- that the new code on mortgage arrears does not sufficiently protect borrowers and fails to include any sanctions for breaches of the code; and
- that problems experienced in repaying debt are not limited to mortgage debt, but that the recently unemployed face difficulties repaying a series of debts including: household bills, credit card repayments, car loans, personal loans, hire purchase agreements and so on;

considering:

- that 276 people were jailed last year for failing to repay debt, many of which were jailed for failing to repay loans to credit providers, and received an average sentence

of 27 days and served an average of 20 days;

- that this Government has not taken any steps to update or reform the current system of debt enforcement which is ineffective in collecting debt, is extremely costly to taxpayers and wasteful of Court, Judge and Garda time;
- that unlike many other EU countries, Ireland has no system of regulation of debt collectors; and
- pending the completion of the Law Reform Commission Report, that there is a need for urgent measures to be taken, as set out below;

calls on the Government to:

- immediately increase the number of Community Welfare Officers, Social Welfare and Social Welfare Appeals Office staff by redeploying staff within the HSE and the Department of Social and Family Affairs;
- encourage MABS and the Legal Aid Board to cooperate more closely so that they can deal with the surge in people seeking advice and support for debt difficulties;
- expand the role of MABS into debt settlement and mortgage renegotiation, which will take less time, is less expensive to the taxpayer and offers a more integrated and effective approach when dealing with consumer debt;
- introduce legislation to regulate debt collection and to ensure that debt collectors are registered and vetted; and
- review legislation including the Enforcement of Court Orders Acts 1926 and 1940 and the Bankruptcy Act 1988.” — *Olwyn Enright, Enda Kenny, Bernard Allen, James Bannon, Seán Barrett, Pat Breen, Richard Bruton, 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, 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.*

[31 March, 2009]

Leasú (atógáil):

Amendment (resumed):

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

- “— noting that the average processing time nationally for Jobseekers Benefit was 3 weeks in February and that the average for the Jobseekers Allowance was 6 weeks;
- welcoming the provision of extra staff to social welfare local offices and the process improvement initiatives and other steps that have been taken to reduce delays;
- acknowledging that jobseekers may get a Supplementary Welfare Allowance from the Community Welfare Officer while they are awaiting a decision on their claim;
- recognising that the HSE is currently reviewing the allocation of staff engaged in the delivery of the supplementary welfare allowance scheme and associated income support payments in the context of the Government policy on public service manpower levels;

- appreciating the importance of the Mortgage Interest Supplement scheme in assisting mortgage holders and the provision of almost €30 million for that scheme in 2009;
- welcoming the publication of the Statutory Code of Conduct on Mortgage Arrears;
- valuing the role of the Money Advice and Budgeting Service (MABS) in helping people to organise their debts and make arrangements with debtors and the Legal Aid Board in providing legal advice to people with debt problems;
- recognising that 90% of callers to the MABS helpdesk get the assistance they need over the phone without having to make an appointment;
- noting that the MABS is represented on the Legal Aid Board's consultative panel and that the two organisations do and will work together;
- further noting the commitment of the Minister for Justice, Equality and Law Reform to continuing to review legislation including the Enforcement of Court Orders Acts 1926 and 1940 and the Bankruptcy Act 1988; and
- recognising the review in the current Law Reform work programme on the examination on debt enforcement and securing interests over personal property;

supports the Government's determination to:

- take further steps to reduce processing times in offices where they are much longer than the national average and to ensure that jobseekers receive financial and other supports as early as possible;
- continue to publicise the supports that are available through the MABS and to encourage people to contact them early before their debt problems accumulate;
- ensure that the MABS continues to play a vital role in negotiating with creditors on behalf of people with debts;
- assert that civil debt is generally a matter best mediated between the two parties involved;
- acknowledge that the current legislation includes safeguards that are there to ensure that imprisonment is a final resort and is invoked for breach of a court order or contempt of court; and
- note that it is necessary in the interests of competitiveness and the rule of law that third parties can ultimately rely on the courts to ensure that contracts can be enforced.” — *An tAire Gnóthaí Sóisialacha agus Teaghlaigh*.

TEACHTAIREACHTAÍ ÓN RIALTAS MESSAGES FROM THE GOVERNMENT

An Bille um Fhorbairt Tionscail 2008.
Industrial Development Bill 2008.

For the purpose of Article 17.2 of the Constitution, the Government recommend that it is expedient to authorise such payments out of moneys provided by the Oireachtas as are necessary to give effect to any Act of the present session to provide for the transfer of shares held by Shannon Free Airport Development Company Limited to Enterprise Ireland; to amend the Industrial Development Act 1986 and the Industrial Development Act 1993; to provide for the transfer of all property of the Minister under section 19 of the Industrial Research and Standards Act 1961 to Enterprise Ireland; and to provide for matters connected

therewith.

Given on this 31st day of March, 2009

(Signed) Brian Cowen,
An Taoiseach.

MEMORANDA

Dé Céadaoin, 1 Aibreán, 2009
Wednesday, 1st April, 2009

Cruinniú den Chomhchoiste ar an mBunreacht i Seomra Coiste 4, LH2000, ar 9.30 a.m. *(príobháideach)*.

Meeting of the Joint Committee on the Constitution in Committee Room 4, LH2000, at 9.30 a.m. *(private)*.

Cruinniú den Chomhchoiste um Chumarsáid, Fuinneamh agus Acmhainní Nádurtha 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 3, TL2000, ar 10 a.m.

Meeting of the Joint Committee on Enterprise, Trade and Employment in Committee Room 3, LH2000, at 10 a.m.

Cruinniú den Chomhchoiste um Ghnóthaí Sóisialacha agus Teaghlaigh i Seomra Coiste 2, TL2000, ar 11 a.m.

Meeting of the Joint Committee on Social and Family Affairs in Committee Room 2, LH2000, at 11 a.m.

Cruinniú den Chomhchoiste um Thalmhaíocht, Iascach agus Bia i Seomra Coiste 4, TL2000, ar 11.30 a.m.

Meeting of the Joint Committee on Agriculture, Fisheries and Food in Committee Room 4, LH2000, at 11.30 a.m.

Cruinniú den Chomhchoiste Riaracháin i Seomra Coiste 3, TL2000, ar 2 p.m. *(príobháideach)*.

Meeting of the Joint Administration Committee in Committee Room 3, LH2000, at 2 p.m. *(private)*.

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

Meeting of the Joint Committee on Justice, Equality, Defence and Women's Rights in

Committee Room 2, LH2000, at 2 p.m.

Cruinniú den Chomhchoiste um Athrú Aeráide agus Áirithiú Fuinnimh i Seomra Coiste 1, TL2000, ar 2.30 p.m.

Meeting of the Joint Committee on Climate Change and Energy Security in Committee Room 1, LH2000, at 2.30 p.m.

Cruinniú den Fhochoiste maidir leis na hArdleibhéil Féinmharaíthe i Sochaí na hÉireann i Seomra Coiste 4, TL2000, ar 3 p.m.

Meeting of the Sub-Committee on High Level of Suicide in Irish Society in Committee Room 4, LH2000, at 3 p.m.

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*).

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

Reachtúil:

1) An Roinn Gnóthaí Sóisialacha agus Teaghlaigh. Forbairtí Beartais Shóisialta san Aontas Eorpach (1 Iúil - 31 Nollaig, 2008) (Tuarascáil don Oireachtas).

2) Togra le haghaidh Rialacháin ón gComhairle lena leasaítear an Coinbhinsiún chun Comhaontú Schengen a chur i bhfeidhm maidir le víosaí fadchónaí agus foláirimh i gCóras Faisnéise Schengen mar aon le nóta faisnéise míniúcháin. Com (2009) 90.

3) Togra le haghaidh Rialacháin ó Pharlaimint na hEorpa agus ón gComhairle an [...] lena leasaítear an Coinbhinsiún chun Comhaontú Schengen a chur i bhfeidhm agus Rialachán (CE) Uimh. 562/2006 maidir le gluaiseacht daoine ag a bhfuil víosa fadchónaí mar aon le nóta faisnéise míniúcháin. Com (2009) 91.

4) Togra le haghaidh Cinnidh ón gComhairle

Statutory:

1) Department of Social and Family Affairs. Social Policy Developments in the EU (1 July - 31 December, 2008) (Report to the Oireachtas).

2) Proposal for a Council Regulation amending the Convention Implementing the Schengen Agreement as regards long stay visa and alerts in the Schengen Information System together with explanatory information note. Com (2009) 90.

3) Proposal for a Regulation of the European Parliament and of the Council of [...] amending the Convention Implementing the Schengen Agreement and Regulation (EC) No 562/2006 as regards movement of persons with a long-stay visa together with explanatory information note. Com (2009) 91.

4) Proposal for a Council Decision on the

maidir le síniú agus críochnú an Chomhaontaithe ar mhodh malartú litreacha idir an Comhphobal Eorpach agus Stát Iosrael maidir le bearta cómhálartacha léirscaoilte i ndáil le táirgí talmhaíochta, táirgí talmhaíochta próiseáilte agus éisc agus táirgí iascaigh agus Prótacail 1 agus 2 agus an Iarscríbhinn a ghabhann le Prótacal 1 agus an Iarscríbhinn a ghabhann le Prótacal 2 a athsholáthar agus modhnuithe ar an gComhaontú Eora-Mheánmhara lena mbunaítear comhlachas idir na Comhphobail Eorpacha agus a mBallstáit, de pháirt, agus Stát Iosrael, den pháirt eile, mar aon le nóta faisnéise míniúcháin.
COM (2009) 95.

5) Tuarascáil Bhliantúil maidir le Rannpháirtíocht na hÉireann sa Bhanc Domhanda agus sa Chiste Airgeadaíochta Idirnáisiúnta, 2008.

6) Ráitis i leith Comhairleora Speisialta don Aire Talmhaíochta, Iascaigh agus Bia, Breandán Mac Gabhann, T.D., de réir na nAchtanna um Eitic in Oifigí Poiblí 1995 agus 2001 [2008] [31 Márta, 2009].

Neamhrechtúil:

An Chomhairle Eorpach, an Bhruiséil, 19/20 Márta, 2009. Tátail na hUachtaránachta.

signing and conclusion of the Agreement in the form of an exchange of letters between the European Community and the State of Israel concerning reciprocal liberalisation measures on agricultural, processed agricultural products and fish and fishery products and the replacement of Protocols 1 and 2 and of the Annex to Protocol 1 and the Annex to Protocol 2 and modifications to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the State of Israel, of the other part together with explanatory information note.
COM (2009) 95.

5) Annual Report of Ireland's Participation in the World Bank and the International Monetary Fund, 2008.

6) Statements in respect of Special Advisers to the Minister for Agriculture, Fisheries and Food, Brendan Smith, T.D., in accordance with the Ethics in Public Office Acts 1995 and 2001 [2008] [31 March, 2009].

Non-Statutory:

European Council, Brussels, 19/20 March, 2009. Presidency Conclusions.