DÁIL ÉIREANN

Déardaoin, 10 *Nollaig*, 2009
Thursday, 10*th December*, 2009

RIAR NA hOIBRE
ORDER PAPER

Déardaoin, 10 *Nollaig*, 2009
Thursday, 10*th December*, 2009

10.30 a.m.

ORD GNÓ
ORDER OF BUSINESS

***a*14.** Tairiscint *maidir le* Cumhachtaí nua de chuid Parlaimintí Náisiúnta faoi Chonradh Liospóin a Chur i nGníomh.
Motion *re* Implementation of new powers of National Parliaments under the Lisbon Treaty.

41*a*. Tairiscintí Airgeadais ón Aire Airgeadais [2009] (*Tairiscint 5*, *atógáil*).
Financial Motions by the Minister for Finance [2009] (*Motion 5*, *resumed*).

***a*4.** An Bille Leasa Shóisialaigh agus Pinsean (Uimh. 2) 2009 — Ordú don Dara Céim.
Social Welfare and Pensions (No. 2) Bill 2009 — Order for Second Stage.

FÓGRA I dTAOBH GNÓ NUA
NOTICE OF NEW BUSINESS

59*a*. Bille na gCuideachtaí (Forálacha Ilghnéitheacha) 2009 [*Seanad*] — Ordú don Tuarascáil.
Companies (Miscellaneous Provisions) Bill 2009 [*Seanad*] — Order for Report.

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I dTOSACH GNÓ PHOIBLÍ
AT THE COMMENCEMENT OF PUBLIC BUSINESS

Billí a thionscnamh : Initiation of Bills

Tíolactha:
Presented:

***a*4.** An Bille Leasa Shóisialaigh agus Pinsean (Uimh. 2) 2009 — Ordú don Dara Céim.
Social Welfare and Pensions (No. 2) Bill 2009 — Order for Second Stage.

Bille dá ngairtear Acht do leasú agus do leathnú na nAchtanna Leasa Shóisialaigh agus do leasú Acht na bPinsean 1990.

Bill entitled an Act to amend and extend the Social Welfare Acts and to amend the Pensions Act 1990.

—An tAire Gnóthaí Sóisialacha agus Teaghlaigh.

Fógraí Tairisceana : Notices of Motions

***a*14.** "Go mbeartaíonn Dáil Éireann, leis seo

— ag féachaint—

(*a*) don Rún ó Dháil Éireann an 8 Deireadh Fómhair, 2009, ag ceadú théarmaí Chonradh Liospóin ag leasú an Chonartha ar an Aontas Eorpach agus an Chonartha ag bunú an Chomhphobail Eorpaigh,

(*b*) d'fhorálacha Acht an Aontais Eorpaigh 2009 ('an tAcht'), agus

(*c*) don Chomhthuarascáil ón gComhchoiste um Ghnóthaí Eorpacha agus ón gComhchoiste um Ghrinnscrúdú Eorpach maidir le *Conradh Liospóin a Chur i nGníomh: Socruithe eatramhacha maidir leis an ról méadaithe do Thithe an Oireachtais,*

— go dtí go mbeidh toradh ar an athbhreithniú dá dtagraítear i mír (*f*) den Rún seo, agus

— d'ainneoin aon ní sna hOrduithe ón Dáil an 23 Deireadh Fómhair, 2007, ag bunú an Chomhchoiste um Ghnóthaí Eorpacha, an Chomhchoiste um Ghrinnscrúdú Eorpach agus an Chomhchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan,

go mbeidh feidhm ag na socruithe seo a

That Dáil Éireann

— having regard to—

(*a*) the Resolution of Dáil Éireann of 8th October 2009, approving the terms of the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community,

(*b*) the provisions of the European Union Act, 2009 ('the Act'), and

(*c*) the Joint Report of the Joint Committees on European Affairs and European Scrutiny on *Implementation of the Lisbon Treaty: Interim arrangements on the enhanced role of the Houses of the Oireachtas,*

— pending the outcome of the review referred to in paragraph (*f*) of this Resolution, and

— notwithstanding anything contained in the Orders of the Dáil of 23rd October, 2007, establishing the Joint Committees on European Affairs, European Scrutiny and Justice, Equality, Defence and Women's Rights,

hereby resolves that the following

leanas go dtí go gcuirfear an Dáil ar athló le haghaidh shos an tsamhraidh 2010:

(*a*) go ndéanfaidh na Roghchoistí cuí, arna gceapadh ag Dáil Éireann, an obair mhionsonraithe chun tacú le Dáil Éireann faoi alt 7 den Acht a ghabháil de láimh, mar a rianaítear i míreanna (*b*) go (*e*) den Rún seo, agus, ar mhaithe le héifeachtúlacht, oibreoidh na Roghchoistí sin i gcomhar lena gcomhghleacaithe sa Seanad chun a bhfreagrachtaí faoin Rún seo a chur i gcrích, faoi réir rogha aonair na Roghchoistí arna gceapadh ag gach Teach beartú gníomhú go neamhspleách;

(*b*) go mbeidh gach dréachtghníomh reachtach a chuirfear chuig an Dáil arna tharchur chuig an Roghchoiste um Ghrinnscrúdú Eorpach, agus beidh an Roghchoiste sin freagrach as breithniú a dhéanamh i dtaobh an gcomhlíonann dréachghníomhartha reachtacha prionsabal na coimhdeachta faoi alt 7(3) den Acht, faoi réir na nithe seo a leanas:

(i) le linn tuairim réasúnaithe a fhoirmiú i dtaobh an gcomhlíonann dréachtghníomh reachtach prionsabal na coimhdeachta, rachaidh an Coiste i gcomhairle leis an gComhchoiste um Ghnóthaí Eorpacha, agus le cibé Coiste nó Coistí eile agus páirtithe leasmhara eile is cuí leis an gCoiste;

(ii) más rud é gurb é tuairim an Choiste go ndéanann dréachtghníomh reachtach sárú ar phrionsabal na coimhdeachta, déanfaidh sé tuairim réasúnaithe chuige sin a chur isteach ar mhodh tuarascála a leagfar os comhair na Dála;

(iii) i gcás go mbeidh tuarascáil leagtha ag an gCoiste faoi mhír (*b*)(ii), déanfaidh an Cathaoirleach, láithreach, tairiscint maidir léi a chur síos faoi alt 7(3) den Acht, agus tabharfar tosaíocht don tairiscint ar Riar na hOibre;

(iv) i gcás go gceadaíonn an Dáil an

arrangements shall apply until the adjournment of the Dáil for the summer recess 2010:

(*a*) the detailed work to support the role of Dáil Éireann under section 7 of the Act shall be undertaken by the appropriate Select Committees appointed by Dáil Éireann, as outlined in paragraphs (*b*) to (*e*) of this Resolution, which shall, in the interests of efficiency, work jointly with their Seanad counterparts in carrying out their responsibilities under this Resolution, subject to the sole discretion of the Select Committees appointed by each House to resolve to act independently;

(*b*) all draft legislative acts transmitted to the Dáil shall stand referred to the Select Committee on European Scrutiny, which shall have responsibility for considering whether draft legislative acts are in compliance with the principle of subsidiarity under section 7(3) of the Act, subject to the following:

(i) in forming a reasoned opinion on whether a draft legislative act complies with the principle of subsidiarity, the Committee shall consult with the Joint Committee on European Affairs, and such other Committee(s) and stakeholders as the Committee sees fit;

(ii) where the Committee is of the opinion that a draft legislative act is in breach of the principle of subsidiarity, it shall submit a reasoned opinion to this effect by way of report which shall be laid before the Dáil;

(iii) where a report has been laid by the Committee under paragraph (*b*)(ii), the Chairman shall forthwith table a motion thereon under section 7(3) of the Act, which shall be given priority on the Order Paper;

(iv) where the Dáil approves the motion

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tairiscint dá dtagraítear i mír (*b*)(iii), cuirfidh an Ceann Comhairle cóip den Rún, mar aon le cóip den tuarascáil dá dtagraítear i mír (*b*)(ii), chuig Uachtarán Pharlaimint na hEorpa, Uachtarán na Comhairle agus Uachtarán an Choimisiúin; agus

(v) ceathrar comhalta den Roghchoiste is córam chun gnó a chuimsítear leis an mír seo a bhreithniú;

(*c*) beidh an Roghchoiste um Ghnóthaí Eorpacha freagrach as cibé fógraí a tharchuirfidh Dáil Éireann chuige faoi alt 7(1) den Acht a bhreithniú, faoi réir na nithe seo a leanas:

(i) le linn dó fógraí den sórt sin a bhreithniú, rachaidh an Coiste i gcomhairle le cibé Coiste nó Coistí eile agus páirtithe leasmhara eile is cuí leis an gCoiste;

(ii) i gcás go mbeidh an Coiste i gcoinne an chinnidh dá dtagraíonn an fógra, leagfaidh an Coiste tuarascáil chuige sin os comhair na Dála;

(iii) i gcás go mbeidh tuarascáil leagtha ag an gCoiste faoi mhír (*c*)(ii), déanfaidh an Cathaoirleach, láithreach, tairiscint maidir léi a chur síos faoi alt 7(1) den Acht, agus tabharfar tosaíocht don tairiscint ar Riar na hOibre;

(iv) i gcás go gceadaíonn an Dáil an tairiscint dá dtagraítear i mír (*c*)(iii), cuirfidh an Ceann Comhairle cóip den Rún, mar aon le cóip den tuarascáil dá dtagraítear i mír (*c*)(ii), chuig Uachtarán na Comhairle Eorpaí; agus

(v) i gcás nach mbeidh an Coiste i gcoinne an chinnidh dá dtagraíonn an fógra, cuirfidh an Coiste Teachtaireacht chuige sin chun na Dála;

(*d*) beidh an Roghchoiste um Dhlí agus Ceart, Comhionannas, Cosaint agus Cearta na mBan freagrach as cibé fógraí

referred to in paragraph (*b*)(iii), the Ceann Comhairle shall send a copy of the Resolution, together with a copy of the report referred to in paragraph (*b*)(ii), to the Presidents of the European Parliament, the Council and the Commission; and

(v) four members of the Select Committee shall constitute a quorum for the purpose of considering business comprehended by this paragraph;

(*c*) the Select Committee on European Affairs shall have responsibility for considering such notifications as may be referred to it by Dáil Éireann under section 7(1) of the Act, subject to the following:

(i) in considering such notifications, the Committee shall consult with such other Committee(s) and stakeholders as the Committee sees fit;

(ii) where the Committee is opposed to the decision to which the notification refers, the Committee shall lay a report to this effect before the Dáil;

(iii) where a report has been laid by the Committee under paragraph (*c*)(ii), the Chairman shall forthwith table a motion thereon under section 7(1) of the Act, which shall be given priority on the Order Paper;

(iv) where the Dáil approves the motion referred to in paragraph (*c*)(iii), the Ceann Comhairle shall send a copy of the Resolution, together with a copy of the report referred to in paragraph (*c*)(ii), to the President of the European Council; and

(v) where the Committee is not opposed to the decision to which the notification refers, the Committee shall send a Message to this effect to the Dáil;

(*d*) the Select Committee on Justice, Equality, Defence and Women's Rights shall have responsibility for considering

a tharchuirfidh Dáil Éireann chuige faoi alt 7(2) den Acht a bhreithniú, faoi réir na nithe seo a leanas:

(i) le linn dó fógraí den sórt sin a bhreithniú, rachaidh an Coiste i gcomhairle leis an gComhchoiste um Ghnóthaí Eorpacha agus leis an gComhchoiste um Ghrinnscrúdú Eorpach agus le cibé Coiste nó Coistí eile agus páirtithe leasmhara eile is cuí leis an gCoiste;

(ii) i gcás go mbeidh an Coiste i gcoinne an chinnidh dá dtagraíonn an fógra, leagfaidh an Coiste tuarascáil chuige sin os comhair na Dála;

(iii) i gcás go mbeidh tuarascáil leagtha ag an gCoiste faoi mhír (*d*)(ii), déanfaidh an Cathaoirleach, láithreach, tairiscint maidir léi a chur síos faoi alt 7(2) den Acht, agus tabharfar tosaíocht don tairiscint ar Riar na hOibre;

(iv) i gcás go gceadaíonn an Dáil an tairiscint dá dtagraítear i mír (*d*)(iii), cuirfidh an Ceann Comhairle cóip den Rún, mar aon le cóip den tuarascáil dá dtagraítear i mír (*d*)(ii), chuig an gComhairle; agus

(v) i gcás nach mbeidh an Coiste i gcoinne an chinnidh dá dtagraíonn an fógra, cuirfidh an Coiste Teachtaireacht chuige sin chun na Dála;

(*e*) beidh sé de chumhacht ag an Roghchoiste um Ghnóthaí Eorpacha agus an Roghchoiste um Ghrinnscrúdú Eorpach araon breithniú a dhéanamh i dtaobh an ndéanann gníomh de chuid institiúide den Aontas Eorpach sárú ar phrionsabal na coimhdeachta faoi alt 7(4) den Acht, faoi réir na nithe seo a leanas:

(i) le linn dó breithniú a dhéanamh i dtaobh an ndéanann gníomh de chuid institiúide den Aontas Eorpach sárú ar phrionsabal na coimhdeachta, rachaidh an Coiste i gcomhairle le cibé Coiste nó Coistí

such notifications as may be referred to it by Dáil Éireann under section 7(2) of the Act, subject to the following:

(i) in considering such notifications, the Committee shall consult with the Joint Committees on European Affairs and European Scrutiny, such other Committee(s) and stakeholders as the Committee sees fit;

(ii) where the Committee is opposed to the decision to which the notification refers, the Committee shall lay a report to this effect before the Dáil;

(iii) where a report has been laid by the Committee under paragraph (*d*)(ii), the Chairman shall forthwith table a motion thereon under section 7(2) of the Act, which shall be given priority on the Order Paper;

(iv) where the Dáil approves the motion referred to in paragraph (*d*)(iii), the Ceann Comhairle shall send a copy of the Resolution, together with a copy of the report referred to in paragraph (*d*)(ii), to the Council; and

(v) where the Committee is not opposed to the decision to which the notification refers, the Committee shall send a Message to this effect to the Dáil;

(*e*) the Select Committees on European Affairs and European Scrutiny shall each have power to consider whether an act of an institution of the European Union infringes the principle of subsidiarity under section 7(4) of the Act, subject to the following:

(i) in considering whether an act of an institution of the European Union infringes the principle of subsidiarity, the Committee shall consult with such other Committee(s) and stakeholders as

eile agus páirtithe leasmhara eile is cuí leis an gCoiste;

(ii) más rud é gurb é tuairim ceachtar Coiste go ndéanann gníomh de chuid institiúide den Aontas Eorpach sárú ar phrionsabal na coimhdeachta agus gur mian leis go ndéanfaí imeachtaí ag lorg athbhreithniú ar an ngníomh lena mbaineann a thionscnamh i gCúirt Bhreithiúnais an Aontais Eorpaigh, leagfaidh an Coiste tuarascáil chuige sin os comhair na Dála;

(iii) i gcás go mbeidh tuarascáil leagtha ag an gCoiste faoi mhír (*e*)(ii), déanfaidh an Cathaoirleach, láithreach, tairiscint maidir léi a chur síos faoi alt 7(4) den Acht, agus tabharfar tosaíocht don tairiscint ar Riar na hOibre;

(iv) i gcás go gceadaíonn an Dáil an tairiscint dá dtagraítear i mír (*e*)(iii), cuirfidh an Ceann Comhairle cóip den Rún, mar aon le cóip den tuarascáil dá dtagraítear i mír (*e*)(ii), chuig an Aire Gnóthaí Eachtracha; agus

(*f*) déanfaidh an Comhchoiste um Ghnóthaí Eorpacha agus an Comhchoiste um Ghrinnscrúdú Eorpach oibriú na socruithe eatramhacha ag míreanna (*a*) go (*e*) den Rún seo a athbhreithniú agus déanfaidh siad tuarascáil orthu (agus ar cibé nithe gaolmhara is cuí leis na Coistí) a thabhairt i gcomhar do Dháil Éireann laistigh de thréimhse sé mhí, agus air sin déanfaidh an Coiste um Nós Imeachta agus Pribhléidí cibé leasuithe is gá ar Bhuan-Orduithe Dháil Éireann agus ar Orduithe Tagartha na gCoistí a mholadh don Dáil.

the Committee sees fit;

(ii) where either Committee is of the opinion that an act of an institution of the European Union infringes the principle of subsidiarity and wishes that proceedings seeking a review of the act concerned be brought to the Court of Justice of the European Union, the Committee shall lay a report to this effect before the Dáil;

(iii) where a report has been laid by the Committee under paragraph (*e*)(ii), the Chairman shall forthwith table a motion thereon under section 7(4) of the Act, which shall be given priority on the Order Paper;

(iv) where the Dáil approves the motion referred to in paragraph (*e*)(iii), the Ceann Comhairle shall send a copy of the Resolution, together with a copy of the report referred to in paragraph (*e*)(ii), to the Minister for Foreign Affairs; and

(*f*) the Joint Committee on European Affairs and the Joint Committee on European Scrutiny shall review the operation of the interim arrangements at paragraphs (*a*) to (*e*) of this Resolution and shall jointly report thereon (and on such related matters as the Committees think fit) to Dáil Éireann within six months, whereupon the Committee on Procedure and Privileges shall recommend to the Dáil such amendments to the Standing Orders of Dáil Éireann and the Orders of Reference of Committees as may be required."

—Pádraig Ó Ciardha, Aire Stáit ag Roinn an Taoisigh.

ORDUITHE AN LAE
ORDERS OF THE DAY

41*a*. Tairiscintí Airgeadais ón Aire Airgeadais [2009] (*Tairiscint 5*, *atógáil*).
Financial Motions by the Minister for Finance [2009] (*Motion 5*, *resumed*).

59*a*. Bille na gCuideachtaí (Forálacha Ilghnéitheacha) 2009 [*Seanad*] — Ordú don Tuarascáil.

Companies (Miscellaneous Provisions) Bill 2009 [*Seanad*] — Order for Report.

GNÓ COMHALTAÍ PRÍOBHÁIDEACHA
PRIVATE MEMBERS' BUSINESS

Gnó a ordaíodh:
Business ordered:

95*a*. An Bille um Éilimh Bheaga (Mionghnóthaí a Chosaint) 2009 — Ordú don Choiste.
Small Claims (Protection of Small Businesses) Bill 2009 — Order for Committee.

MEMORANDA

Déardaoin, 10 *Nollaig*, 2009
Thursday, 10*th December*, 2009

Cruinniú den Chomhchoiste um Thalmhaíocht, Iascach agus Bia i Seomra Coiste 4, TL2000, ar 9.30 a.m.
Meeting of the Joint Committee on Agriculture, Fisheries and Food in Committee Room 4, LH2000, at 9.30 a.m.

Cruinniú den Choiste um Chuntais Phoiblí i Seomra Coiste 1, TL2000, ar 10 a.m.
Meeting of the Committee of Public Accounts in Committee Room 1, LH2000, at 10 a.m.

Cruinniú den Chomhchoiste um Fhorfheidhmiú Chomhaontú Aoine an Chéasta i Seomra Coiste 3, TL2000, ar 11.30 a.m.
Meeting of the Joint Committee on the Implementation of the Good Friday Agreement in Committee Room 3, LH2000, at 11.30 a.m.

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

Reachtúil:

1) Na Rialacháin fán Acht um Rialáil Tacsaithe 2003 (Oibritheoirí Seachadta a Cheadúnú) 2009 (I.R. Uimh. 472 de 2009).

2) Ciste na nIasachtaí Áitiúla. Cuntais Bhliantúla, 2008.

3) Coláiste na hOllscoile, Corcaigh, Ollscoil na hÉireann, Corcaigh. Ráitis Airgeadais Chomhdhlúite don bhliain dar chríoch 30 Meán Fómhair, 2003 mar aon leis an Tuarascáil ón Ard-Reachtaire Cuntas agus Ciste orthu.

Statutory:

1) Taxi Regulation Act 2003 (Licensing of Dispatch Operators) Regulations 2009 (S.I. No. 472 of 2009).

2) Local Loans Fund. Annual Accounts, 2008.

3) University College Cork National University of Ireland, Cork. Consolidated Financial Statements for the year ended 30 September, 2003 together with the report of the Comptroller and Auditor General thereon.

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4) Coláiste na hOllscoile, Corcaigh, Ollscoil na hÉireann, Corcaigh. Ráitis Airgeadais Chomhdhlúite don bhliain dar chríoch 30 Meán Fómhair, 2004 mar aon leis an Tuarascáil ón Ard-Reachtaire Cuntas agus Ciste orthu.

4) University College Cork National University of Ireland, Cork. Consolidated Financial Statements for the year ended 30 September, 2004 together with the report of the Comptroller and Auditor General thereon.

5) Coláiste na hOllscoile, Corcaigh, Ollscoil na hÉireann, Corcaigh. Ráitis Airgeadais Chomhdhlúite don bhliain dar chríoch 30 Meán Fómhair, 2005 mar aon leis an Tuarascáil ón Ard-Reachtaire Cuntas agus Ciste orthu.

5) University College Cork National University of Ireland, Cork. Consolidated Financial Statements for the year ended 30 September, 2005 together with the report of the Comptroller and Auditor General thereon.

Neamhreachtúil:

Non-Statutory:

1) Tithe an Oireachtais. An Comhchoiste um Ghrinnscrúdú Eorpach. Tuarascáil maidir le Doiciméid a breithníodh ag an 49ú Cruinniú an 1 Nollaig, 2009.

1) Houses of the Oireachtas. Joint Committee on European Scrutiny. Report on Documents considered at 49th Meeting on 1 December, 2009.

2) Tithe an Oireachtais. An Comhchoiste um Shláinte agus Leanaí. Tuarascáil Bhliantúil, 2007 – 2008 (23 Deireadh Fómhair, 2007 – 31 Nollaig, 2008). Samhain, 2009.

2) Houses of the Oireachtas. Joint Committee on Health and Children. Annual Report, 2007 - 2008 (23 October, 2007 - 31 December, 2008). November, 2009.

3) Buiséad 2010.

3) Budget 2010.

4) Buiséad 2010 – Rúin Airgeadais.

4) Budget 2010 - Financial Resolutions.

5) Buiséad 2010 - Doiciméadacht Tacaíochta lena n-áirítear Meastacháin i gcomhair Seirbhísí Poiblí.

5) Budget 2010 - Supporting Documentation including 2010 Estimates for Public Services.